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NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 1st December 1956:—

Issue No.	No. and date	Issued by	Subject
366	S.R.O. 2884, dated the 30th November, 1956.	Ministry of Labour	Draft of the Working Journalists (Conditions of Service) and Miscellaneous Provisions Rules, 1956.
367	S.R.O. 2885, dated the 28th November 1956.	Election Commission India.	Fixation of the hours during which the poll shall be taken in pursuance of notification No. 472/6/-56(1), dated 28th November 1956.
368	S.R.O. 2886, dated the 29th November 1956.	Ditto.	Cancellation of notification 472/1/56(5), dated 19th November 1956 published as S.R.O. 2724.
	S.R.O. 2887, dated the 29th November, 1956.	Ditto.	List of candidates for election to the Council of States by the members of the Electoral College of Himachal Pradesh.
369	S.R.O. 2888, dated the 30th November, 1956.	Ministry of Finance	The Central Government rescinds the three notifications Nos. 58-Customs, dated 12th July 1956, 74-Customs and 75-Customs, dated 6th September 1956.
	S.R.O. 2889, dated the 30th November, 1956.	Ditto.	Amendment made in the notification No. 45-Customs, dated the 23rd October 1948.
	S.R.O. 2890, dated the 30th November 1956.	Ditto.	Amendment made in the notification No. 13-Customs, dated the 28th February 1953.

Issue No.	No. and date	Issued by	Subject
370	S.R.O. 2891, dated the 1st December 1956.	Central Board of Revenue.	Draft Rules for the Sea Customs duties (Provisional Assessment) Rules, 1956.
	S.R.O. 2892, dated the 1st December 1956.	Ministry of Finance	Exemption of tea from so much of Customs duty as is in excess of eight annas per lb when exported.
	S.R.O. 2893, dated the 1st December 1956.	Ministry of Commerce and Consumer Industries.	Fixation of the price of tea, for the purpose of item 5 in the Second Schedule to the Indian Tariff Act 1934.
371	S.R.O. 2894, dated the 1st December, 1956.	Ministry of Finance	Exemption of certain articles, when imported from the whole of additional Customs duty leviable thereon.
	S.R.O. 2895, dated the 1st December 1956.	Ditto.	Amendments made in the notification No. 13-Customs, dated the 28th February 1953.
	S.R.O. 2896, dated the 1st December 1956.	Ditto.	Amendment made in the notification No. 75-Customs, dated the 17th November 1951.
	S.R.O. 2897, dated the 1st December 1956.	Ditto.	Amendments made in the notification No. 44-Customs, dated the 20th May 1950.
	S.R.O. 2898, dated the 1st December 1956.	Ditto.	Exemption of artificial silk yarn, when imported, from so much of Customs duty leviable thereon as is in excess of certain amount.
	S.R.O. 2899, dated the 1st December 1956.	Ditto.	Exemption of staple fibre yarn, when imported from so much of Customs duty as is in excess of Re. 1-4-0 per lb.
	S.R.O. 2900, dated the 1st December 1956.	Ditto.	Amendment made in the notification No. 45-Customs, dated the 1st March 1955.
	S.R.O. 2901, dated the 1st December 1956.	Ditto.	Exemption of certain (a) medicinal contraceptives and (b) contraceptives, when imported, from Customs duty specified therein.
	S.R.O. 2902, dated the 1st December 1956.	Ditto.	Amendments made in the notification No. 45-Customs, dated the 23rd October 1948.
	S.R.O. 2903, dated the 1st December 1956.	Ditto.	Exemption of certain articles when imported, from certain amount of Customs duty specified therein.

Issue No.	No. and date	Issued by	Subject
	S.R.O. 2904, dated the 1st December 1956.	Ministry of Finance	Exemption of certain articles, when imported, from certain amount of Customs duty specified therein.
	S.R.O. 2905, dated the 1st December 1956.	Ditto.	Exemption of certain articles, when imported, from so much of Customs duty specified therein.
	S.R.O. 2906, dated the 1st December 1956.	Ditto.	Exemption of raw and semi-manufactured material used by the plastic industry, when imported, from so much of Customs duty specified therein.
	S.R.O. 2907, dated the 1st December 1956.	Ditto.	Amendment made in the notification No. 33-Customs, dated the 22nd June 1933.
	S.R.O. 2908, dated the 1st December 1956.	Ditto.	Exemption of certain articles, when imported, from so much of Customs duty specified therein.
	S.R.O. 2909, dated the 1st December 1956.	Ditto.	Exemption of standard precision process cameras, when imported, from so much of customs duty specified therein.
	S.R.O. 2910, dated the 1st December 1956.	Ditto.	Exemption of glass screens and half-tone screens, when imported, from so much of Customs duty specified therein.
	S.R.O. 2911, dated the 1st December 1956.	Ditto.	Exemption of hand quotation moulds and hand lead moulds, when imported, from so much of Customs duty specified therein.
	S.R.O. 2912, dated the 1st December 1956.	Ditto.	Exemption of certain articles, when imported, from so much of Customs duty specified therein.
	S.R.O. 2913, dated the 1st December 1956.	Ditto.	Exemption of certain natural raw materials for perfumery, when imported, from so much of Customs duty specified therein.
	S.R.O. 2914, dated the 1st December 1956.	Ditto.	Amendment made in the notification No. 87-Customs, dated the 3rd May 1955.
	S.R.O. 2915, dated the 1st December 1956.	Ditto.	Exemption of certain yarns and fibres from so much of Customs duty specified therein.

Issue No.	No. and date	Issued by	Subject
372	S.R.O. 2916, dated the 1st December 1956.	Election Commission, India.	List of candidates for election to the Council of States by the members of the Manipur Electoral College.
373	S.R.O. 2917, dated the 1st December 1956.	Ministry of Finance	Amendment made in the notification No. 119-Customs, dated the 1st December 1956.
	S.R.O. 2918, dated the 1st December, 1956.	Ditto.	Amendment made in the notification No. 120, Customs, dated the 1st December, 1956.

Copies of the **Gazettes Extraordinary** mentioned above will be supplied on indent to the **Manager of Publications, Civil Lines, Delhi**. Indents should be submitted so as to reach the **Manager** within ten days of the date of issue of these **Gazettes**.

PART II—Section 3

Statutory Rules and Orders issued by the Ministries of the Government of India (other than the Ministry of Defence) and Central Authorities (other than the Chief Commissioners).

ELECTION COMMISSION, INDIA

New Delhi-2, the 6th December 1956

S.R.O. 2995.—In exercise of the powers conferred by sub-section (1) of section 13A of the Representation of the People Act, 1950, the Election Commission, in consultation with the Government of Andhra Pradesh, hereby nominates Shri A. R. Gopalan, M.A., B.L., as the Chief Electoral Officer for that State with effect from the 1st November 1956.

[No. 154/1/1/56(1).]

S.R.O. 2996.—In exercise of the powers conferred by sub-section (1) of section 13A of the Representation of the People Act, 1950, the Election Commission, in consultation with the Government of Andhra Pradesh, hereby nominates Shri K. Subha Rao, I.A.S., *ex-officio* Deputy Secretary to Government in the General Administration Department as the Chief Electoral Officer for that State with effect from the date he takes over charge, *vice* Shri A. R. Gopalan.

[No. 154/1/1/56(2).]

By order,

A. KRISHNASWAMY AIYANGAR, Secy.

ERRATUM

In the Election Commission's Notification No. 154/8/56, dated the 9th November 1956, published in the Gazette of India, Part II—Section 3, as S.R.O. 2855, at page 1894 for the name, "Shri M. Varadarajan", read "Shri M. K. Varadarajan".

MINISTRY OF LAW

New Delhi, the 6th December 1956

S.R.O. 2997.—The following notice issued by the Government of Southern Rhodesia is published for general information:

**"SOUTHERN RHODESIA GOVERNMENT NOTICE No. 394 OF 1956
Maintenance Orders (Facilities for Enforcement) Act—India**

It is hereby notified that His Excellency the Governor, being satisfied in terms of section 11 of the Maintenance Orders (Facilities for Enforcement) Act, (Chapter 154), that reciprocal provisions have been made by the Government of India for the enforcement within India, excluding the State of Jammu and Kashmir, of maintenance orders made by the courts in the colony, has been pleased to extend the said Act to maintenance order made by courts within India excluding the State of Jammu and Kashmir. Government Notice No. 119 of 1956 is hereby cancelled.

*Supplement to the Southern Rhodesia Government Gazette dated
2nd November, 1956."*

[No. 26(13)/54-L.]

G. S. GAITONDE, Dy. Secy.

MINISTRY OF HOME AFFAIRS

New Delhi-2, the 7th December 1956

S.R.O. 2998.—In pursuance of rule 7 of the Indian Police Service (Probation) Rules, 1954, the Central Government, in consultation with the State Governments and the Union Public Service Commission, hereby makes the following amendments in the Indian Police Service (Probationers' Final Examination) Regulations, 1955, namely:—

In the said Regulations,

(i) in regulation 4, for the heading, "(a) Part II Written Examination", the heading "(a) Part I Written Examination" shall be substituted and shall be deemed to have been substituted with effect from the 6th June, 1955;

(ii) in clause (2) of the Schedule,

(a) for the sentence "There shall be three papers each of two hours' duration" at the end of the list of Acts enumerated therein, the following shall be substituted, namely:—

"There shall be three papers. Paper I shall be of three hours' duration and Papers II and III shall be of two hours' duration each".

(b) the figure "I" and the figures "XXI" occurring within brackets against "Indian Penal Code" under the head "Paper I (without books)" shall be omitted.

[No. 13/6/56-AIS(III)]

P. PRABHAKAR RAO, Dy. Secy.

New Delhi-2, the 7th December 1956

S.R.O. 2999.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution, and after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department, the President hereby directs that the following further amendment shall be made in the Central Civil Services (Temporary Service) Rules, 1949, namely:—

In the said Rules, after rule 8, the following shall be inserted as rule 8A, namely:—

"8A. Notwithstanding anything contained in rules 5 and 6, the services of a Government servant to whom these rules apply may be terminated at any time without notice on his being declared physically unfit for

continuance in service by an authority who would have been competent to declare him as permanently incapacitated for service had his appointment been permanent."

[No. 78/76/55-TS.]

S.R.O. 3000.—In exercise of the powers conferred by the proviso to article 309 and clause (5) of article 148 of the Constitution, and after consultation with the Comptroller and Auditor General in relation to persons serving in the Indian Audit and Accounts Department, the President hereby directs that the following further amendment shall be made in the Central Civil Services (Temporary Service) Rules, 1949, namely:—

In the said Rules, after Rule 5, the following Rule shall be inserted as rule 5A, namely:—

5A. (1) Where a notice is given by the appointing authority terminating the service of a temporary Government servant or where the service of any such Government servant is terminated either on the expiry of the period of such notice or forthwith by payment of pay plus allowances, the Central Government or any other authority specified by the Central Government in this behalf may, of its own motion or otherwise, re-open the case and after calling for the record of the case and after making such inquiry as it deems fit, may—

- (a) confirm the action taken by the appointing authority; or
- (b) withdraw the notice; or
- (c) re-instate the Government servant in service; or
- (d) make such other order in the case as it may consider proper:

provided that no case shall be re-opened under this sub-rule after the expiry of three months—

- (i) in a case where notice is given, from the date of notice;
- (ii) in a case where no notice is given, from the date of termination of service.

(2) Where a Government servant is re-instated in service under sub-rule (1), the order of re-instatement shall specify—

- (a) the amount or proportion of pay and allowances, if any, to be paid to the Government servant for the period of his absence between the date of termination of service and the date of re-instatement, and
- (b) whether the said period shall be treated as a period spent on duty for any specified purpose or purposes.

[No. 78/147/56-TS.]

R. N. MADHOK, Dy. Secy.

CORRIGENDUM

New Delhi, the 10th December 1956

S.R.O. 3001.—In the Notification of the Government of India in the Ministry of Home Affairs, S.R.O. No. 2401, printed in the Gazette of India, Part II, Section 3 of the 27th October 1956 (No. 43), publishing the High Court Judges (Part A States) Travelling Allowance Rules, 1956, in rule 6(b) (i) for the word and figure "Rs. 20" read "Rs. 2/-".

[No. 11/45/55-Judl.I.]

GULZAR SINGH, Under Secy.

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 15th December 1956

S.R.O. 3002.—In exercise of the powers conferred by Section 2(a) of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (XLI of 1948), the Central Government hereby makes the following amendment to the Notification of the

Government of India in the Ministry of External Affairs S.R.O. 516 (DCOA-52/56), dated the 20th February, 1956.

In the said notification for the words "during the period of absence of Vice-Consul from Zahidan", please read the following:

"From the 2nd February, 1956 (A.N.) to the 14th April, 1956 (F.N.)."

[No. F.21-Cons/56.]

S.R.O. 3003.—In exercise of the powers conferred by Section 2(a) of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (XLI of 1948), the Central Government hereby makes the following amendment to the notification of the Government of India in the Ministry of External Affairs, S.R.O. 517 (DCOA-52/56), dated the 22nd February, 1956.

In the said notification for the words "during the period of absence of Shri G. L. Puri, Consul, from Muscat," please read the following:—

"from the 15th August 1956 (F.N.) to the 30th August 1956 (A.N.)."

[No. F.21(4)ConsI/56.]

S.R.O. 3004.—In exercise of the powers conferred by Section 2(a) of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (XLI of 1948), the Central Government hereby appoints Shri J. C. Jagasia, Assistant, Consulate of India, Muscat, as a Consular Agent from the 12th October 1956 (F.N.) to the 22nd October 1956 (A.N.).

[No. F.21(4)Cons.I/56.]

N. V. AGATE, Under Secy.

MINISTRY OF FINANCE

(Department of Economic Affairs)

New Delhi, the 1st December 1956

S.R.O. 3005.—It is notified for general information that with effect from the 15th December, 1956 Ten-Year Treasury Savings Deposits, receivable as provided in the notification of the Government of India in the Ministry of Finance No. 7(1)-B/51, dated the 22nd January, 1951, shall also be received in the State of Mysore at all branches of the Bank of Mysore Ltd. conducting Government treasury business and at all treasuries and sub-treasuries at other places in the State where the facilities do not exist at present.

[No. F.4(183)-BI/55.]

K. C. DAS, Under Secy.

(Department of Economic Affairs)

New Delhi, the 7th December 1956

S.R.O. 3006.—In exercise of the powers conferred by section 53 of the Banking Companies Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of note (f) appended to Form A in the Third Schedule to the said Act shall not apply, until the 1st January, 1958, to a banking company which, when the value shown in the inner column against any of the sub-heads (ii), (iii), (iv) and (v) of item 4 on the Property and Assets side of the said form exceeds the market value of the investments under that sub-head, shows separately within brackets the market value of the investments under that sub-head.

[No. 4(172)-FI/56.]

S.R.O. 3007.—In exercise of the powers conferred by section 53 of the Banking Companies Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 17 of the said Act shall not apply to any banking company in so far as the said provisions have the effect of preventing appropriation from the reserve fund maintained in terms of the said section for the purposes of writing off the amount of losses on its investments in Government securities before declaring a dividend out of its net profits for the calendar years 1956 and 1957.

[No. 4(172)-FI/56-I.]

K. P. BISWAS, Under Secy.

(Department of Economic Affairs)

New Delhi, the 11th December 1956

S.R.O. 3008.—In exercise of the powers conferred by section 6 of the Indian Coinage Act, 1906 (3 of 1906) and in partial modification of the notification of the Government of India in the Ministry of Finance No. S.R.O. 1121, dated the 11th May, 1956, the Central Government hereby determines that:—

- (a) the new Rupee or one hundred Naye Paise shall be of pure nickel metal, having a circular shape with twentyeight millimetres as outside diameter;
- (b) it shall be milled on the edge with a serrated or upright milling, the serrations numbering two hundred;
- (c) in the centre of the milled edge there shall be a shallow groove with a design inside, in two sections, separated by blank spaces; and
- (d) the design inside the groove shall consist of a chain of beads in relief.

[No. F.2(58)-F.III/56.]

PREM NARAIN, Under Secy.

(Department of Revenue)

DANGEROUS DRUGS;

New Delhi, the 4th December 1956

S. R. O. 3009.—In pursuance of sub-clause (ii) of clause (g) of section 2 of the Dangerous Drugs Act, 1930 (2 of 1930) and the Protocol signed at Paris on the 19th November 1948, supplementing the earlier Geneva Conventions of 1925, 1931 and 1936 relating to drugs placed under international control and in supersession of the notification of the Government of India in the late Finance Department (Central Revenues) No. 2-Dangerous Drugs, dated 10th January, 1931, as amended by the Government in the late Finance Department (Central Revenues) notifications No. 4-Dangerous Drugs, dated 27th August 1932, No. 6-Excise and Opium, dated 25th November, 1933, No. 10-Dangerous Drugs, dated 28th October 1939, No. 3-Dangerous Drugs, dated 16th March 1940, No. 9-Dangerous Drugs, dated 21st December 1940, No. 1-Dangerous Drugs, dated 10th August 1946, and Government of India, Ministry of Finance (Revenue Division) notification No. 5-Dangerous Drugs, dated 14th September, 1951, No. 3-Dangerous Drugs, dated 6th May 1952, No. 1-Dangerous Drugs, dated 13th June 1953, No. 6-Dangerous Drugs, dated 12th October 1954, the Central Government hereby declares the following narcotic substances specified in this notification to be manufactured drugs, namely :—

Status of the drug
under the Conventions

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| (1) Dihydrohydroxy Codeinone (commonly known as 'OXY-CODONE' and Dihydrooxycodone); its salts (such as EUCODAL, BONCODAL, DINARCON, HYDROLAUDIN, NUCODAN, PERCODAN, SCOPHE-DAL, TEBODOL and the like), its esters and the salts of its esters and preparations, admixtures, extracts or other substances containing any of these drugs | Group I. |
| (2) Dihydrocodeinone (commonly known as 'HYDROCODONE') its salts (such as DICODIDE, CODINOVO, DICONONE, HYCODAN, MULTACODIN, NYODIDO, YDROCOD, and the like) and its esters and salts of its esters, and preparations, admixtures, extracts or other substances containing any of these drugs | Group I. |
| (3) Dihydromorphinone (commonly known as 'HYDROMORPHONE'), its salts (such as DILAUDIDE, DIMORPHID, NOVOLAUDON and the like); its esters and salts of its esters, and preparations, admixtures, extracts or other substances containing any of these drugs | Group I. |

Status of the drug
under the Conventions

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| (4) Acetyldihydrocodeinone (commonly known as 'Acetyldihydrocodeinone' and acetyldemethyle dihydrothebaine); its salts (such as ACEDICONE, NOVOCODON and the like) and its esters and the salts of its esters, and preparations, admixtures, extracts or other substances containing any of these drugs. | Group I. |
| (5) Dihydromorphine; its salts (such as PARAMORFAN and the like) and its esters and salts of its esters, and preparations, admixtures, extracts or other substances containing any of these drugs. | Group I. |
| (6) Dihydrodesoxymorphine; its salts (such as DESOMORPHINE, PERMONID, SCOPERMID and the like) and its esters and salts of its esters, and preparations, admixtures, extracts or other substances containing any of these drugs. | Group I. |
| (7) Methyl dihydromorphinone (commonly known as 'METOPON'); its salts and its esters and salts of its esters; and preparations, admixtures, extracts or other substances containing any of these drugs. | Group I. |
| (8) Morphine-N-Oxide (commonly known as 'GENOMORPHINE' and 'N-Oxy-morphine'), the Morphine-N-Oxide derivatives and the other pentavalent nitrogen morphine derivatives, their salts, and preparations, admixtures, extracts or other substances containing any of these drugs. | Group I. |
| (9) Benzyl-morphine and other esters of morphine, their respective salts and preparations, admixtures, extracts or other substances containing any of these drugs. | Group I. |
| (10) Thebaine and its salts, and preparations, admixtures, extracts or other substances containing any of these drugs. | Group I. |
| (11) Benzyl-morphine (of which PERONINE is a salt) and all other ethers of morphine (excluding Methyl-morphine and Ethyl-morphine, both shown at item 35 of the list and Beta-4-Morpholinylethyl morphine shown at item 37 of the list) their respective salts and preparations, admixtures, extracts or other substances containing any of these drugs. | Group I. |
| (12) 6-methyl 1-6-desoxy morphine, its salts, its esters and salts of its esters and preparations, admixtures, extracts or other substances containing any of these drugs. | Group I. |
| (13) Dihydrohydroxymorphinone, its salts, its esters and salts of its esters and preparations, admixtures, extracts or other substances containing any of these drugs. | Group I. |
| (14) 6-methyl-dihydromorphine, its salts, its esters and salts of its esters and preparations, admixtures, extracts or other substances containing any of these drugs. | Group I. |
| (15) All the salts and esters of ecgonine and salts of its esters and preparations, admixtures, extracts or other substances containing any of these drugs (including ecgonine) | Group I. |
| (16) Preparations made from the extract or tincture of Indian Hemp, except those which are capable only of external use. | Group I. |
| (17) 1-methyl-4-phenyl-piperidine-4-carboxylic acid ethyl ester (commonly known as 'PETHIDINE') and its salts (such as ANTIDUOL, BIPHENAL, CENTRALGIN, D-140, DEMEROL, DISPADOL, DODONAL, DOLANTAL, DOLANTIN, DOLANTOL, DOLAREN, DOLARIN, DOLATOL, DOLENTAL, DOLINAL, DOLOPETHIN, DOLOSAL, DOLVANOL, EUDOLAT, FELIDIN, GRATIDINA, ISONIPECAINE, MEPERIDIN, MEPHEDINE, PANTALGINE, PIRIDOSAL, PRECEDYL, SAUTER-ALGYL and the like) and preparations, admixtures, extracts or other substances containing any of these drugs. | Group I. |

Status of the drug
under the Conventions.

- (18) 1-methyl -- (3-hydroxyphenyl)-piperidine-4-carboxylic acid ethyl ester (otherwise known as '1-methyl 1-4- metahydroxy-phenil piperidine-4-carboxylic acid, ethyl ester), and its salts (BEMIDONE and the like) and preparations, admixtures, extracts or other substances containing any of these drugs. Group I.
- (19) 1-methyl-4-(3-hydroxyphenyl (-4-piperidyl-ethyl ketone (otherwise known as '1-methyl-4-metahydroxy phenyl-4-propionyl piperidine and as KETOBEMIDONE), its salts (such as, CLIRADONE, KETOGAN and the like) and preparations, admixtures, extracts or other substances containing any of these drugs. Group I.
- (20) Alpha-1-3-dimethyl-4-phenyl-4-propionoxy piperidone (commonly known as ALPHAPRODINE) and its salts (such as NISENTIL, NISINTIL, NU-1196 and the like) and preparations, admixtures, extracts or other substances containing any of these drugs. Group I.
- (21) Beta-1-3 dimethyl-4-phenyl-4-propionoxy piperidine (commonly known as 'BETAPRODINE') and its salts (UN-1779 and the like) and preparations, admixtures, extracts or other substances containing any of these drugs. Group I.
- (22) Beta-1-methyl-3-ethyl-4-phenyl-4 propionoxy piperidine and its salts (NU-1932 and the like) and preparations, admixtures, extracts or other substances containing any of these drugs. Group I.
- (23) Isopropyl and other esters of 1-methyl-4-phenyl-piperidine-4-carboxylic acid and their salts and preparations, admixtures, extracts or other substances containing any of these drugs. Group I.
- (24) 4:4-diphenyl-6-dimethylaminoheptanone-3 (otherwise known as 6-dimethyl aminon 4: 4-diphenyl-3-heptanone and as METHADONE) and its salts (such as ADANON, ALGOLYSIN, AMIDONE, AMIDOSAN, BUTALGIN, DEPRIDOL, DIAMINON, DIANONE, DOLAFINE, DOLAMID, DOLPHINE, DORIEKOL, HEPTADON, HEPTANAL, OOECHST 1082, KETALGIN, MECODIN, MEPECTON, MEFHENON, MIADONE, MOHEPTAN, PHYSEPTONE, PHYSOPEPTONE, POLAMIDON, SYMORON, TURANONE and the like) and preparations, admixtures, extracts or other substances containing any of these drugs. Group I.
- (25) 4:4 diphenyl 5-methyl-6-dimethyl-amino-hexanone-3 (otherwise known as 6-dimethyl amino-5-methyl-4 :4-diphenyl-3-hexanone and as ISOMETHADONE) and its salts and preparations, admixtures, extracts or other substances containing any of these drugs. Group I.
- (26) Racemic, Dextro and Laevo forms of Alpha-6-dimethyl-amino 4:4-diphenyl-3heptanol (commonly known as 'Alpha- METHADOL'); Racemic, Dextro and Laevo-forms of Beta-6-dimethyl-amino-4:4-diphenyl-3-heptanol (commonly known as 'Beta-METHADOL'), their salts and preparations, admixtures (including METHADOL, N.H. 2933), extracts or other substances containing any of these drugs. Group I.
- (27) Racemic, Dextro and Laevo forms of Alpha-6-dimethylamine 4:4diphenyl 3-acetoxy heptane (commonly known as 'Alpha- ACETYL METHADOL'); Racemic, Dextro and Laevo forms of Beta-6-dimethylamine-4:4-diphenyl-3-acetoxy heptane (commonly known as 'Beta-ACETYL METHADOL'), their salts and preparations, admixtures (including ACETYL METHADOL N.I.H.2953), extracts or other substances containing any of these drugs. Group I.
- (28) 4:4-diphenyl-6-piperidine-3-heptanone, its salts, and preparations, admixtures, extracts or other substances containing any of these drugs. Group I.

Status of the drug
under the conventions

- (29) 4: 4-diphenyl-6-dimethylamine-3-hexanone (also known as NORMETHADONE), its salts and preparations, admixtures, extracts or other substances containing any of these drugs Group I.
- (30) 4: 4-diphenyl-6-morpholine-heptanone-3-(otherwise known as 6-morpholine 4: 4-diphenyl-3-heptanone and as PHENADOXONE) and its salts (such as CB-11, HEPAGIN, HEPTALGIN, HEPTALIN, HEPTAZONE and the like) and preparations, admixtures, extracts or other substances containing any of these drugs Group I.
- (31) Racemic and Laevo forms of 3-hydroxy-N-methyl-morphinan (commonly known as NU-2206 or RACEMORPHAN and LEVORPHAN respectively) and their salts (such as DROMORAN, METHORPHINAN and the like) and preparations, admixtures, extracts or other substances containing any of these drugs Group I.
- (32) Racemic and Laevo forms of 3-methoxy-N-methyl-morphinan (commonly known as RACEMETHORPHAN and LEVOMETHORPHAN respectively) and their salts (such as, METHYL DROMORAN and the like) and preparations, admixtures, extracts or other substances containing any of these drugs Group I.
- (33) 3-domethyl-amino 1: 1-di (2-Thienyl) 1-butene; 3-ethyl methylamino 1: 1-di (2-Thienyl)-1-butene; 3-diethylamino 1: 1-di (2-Thienyl) -1-butene (also known as Diethyl-thiambutene and as THEMALON). their salts and preparations, admixtures, extracts or other substances containing any of these drugs Group I.
- (34) 4-Morpholino-2 : 2-Diphenyl ethyl butyrate and its salts and preparations, admixtures, extracts, or other substances containing any of these drugs Group I.
- (35) Methyl morphine (commonly known as 'Codeine') and Ethyl morphine and their salts (including Dionine) and preparations containing any of these drugs and also liquid compounds consisting of a solution of any one of these in one or more inert fluids, except such as, are adapted to normal therapeutic use (that is, except made-up dry preparations, pharmacopoeal or proprietary (pills, tablets powders and the like) which do not contain more than 0.1 gramme of any of these drugs in one pill, one tablet or one powder associated with other medicinal substances and liquids consisting of a solution of any one of these drugs not exceeding ten percent (weight by volume) associated with other medicinal substances. Group II.
- (36) Dihydrocodeine and Acetyldihydrocodeine, other derivatives of Dihydrocodeine and their salts (such as, PARACODINE and ACETYL CODONE and the like), all dilutions and preparations of any of them as have not been established in therapeutic practice Group II.
- (37) Beta-4-Morpholinylethyl morphine (also known as HOMO-CODEINE, HYBERNIL, PHOLCODINE and the like) and its salts; all dilutions and preparations containing this drug as have not been established in therapeutic practice. Group II.
- (38) Laevo-3-hydroxy-N-propargyl-morphinan, its salts and all dilutions and preparations containing this drug as have not been established in the therapeutic practice Group II
- (39) 1, 3-dimethyl-4-phenyl-4-propionoxy hexamethylenimine, its salts and preparations admixtures, extracts or other substances containing any of these drugs Group I.
- (40) 3-hydroxy-N-phenethylmorphinan, its salts and preparations, admixtures, extracts or other substances containing any of these drugs Group I.

Status of the drug
under the Conventions

- | | |
|--|-----------|
| (41) 4-dimethylamino-1, 2-diphenyl-3-methyl-2-propionyxybutane and its salts ; all dilutions and preparations containing this drug as have not been established in therapeutic practice. | Group II. |
| (42) 4-Carboethoxy-1-methyl-4-phenyl-hexamethylencimine and its salts and preparations, admixtures, extracts and other substances containing any of these drugs | Group I. |
| (43) 4-Carboethoxy-1, 3-dimethyl-4-phenyl hexamethylencimine and its salts and preparations, admixtures, extracts and other substances containing any of these drugs | Group I. |
| (44) 4-Carbmethoxy-1, 2-dimethyl-4-phenyl hexamethylencimine and its salts and preparations, admixtures, extracts and other substances containing any of these drugs | Group I. |
| (45) 1-[2-(p-Aminophenyl)-ethyl]-4-Carboethoxy-4-phenylpiperidine and its salts and preparations, admixtures, extracts and other substances containing any of these drugs | Group I. |
| (46) 4-Carboethoxy-1-(2-hydroxy-2-phenyl-ethyl)-4-phenylpiperidine and its salts and preparations, admixtures, extracts and other substances containing any of these drugs | Group I. |
| (47) Dihydroxy-dihydromorphinone and its salts and preparations, admixtures, extracts and other substances containing any of these drugs | Group I. |

[No. 4.]

B. D. DESHMUKH, Dy. Secy

(Department of Revenue)

INCOME-TAX

New Delhi, the 10th December 1956

S.R.O. 3010.—In exercise of the powers conferred by sub-section (2) of section 58L of the Indian Income-tax Act, 1922 (11 of 1922), the Central Government hereby makes the following further amendments in the Indian Income-tax (Provident Funds Relief) Rules, the same having been previously published as required by sub-section (1) of the said section read with sub-section (4) of section 59 of the said Act, namely:—

In rule 3 of said Rules—

- (a) In sub-rules (1) and (2), for the words, brackets and figures "clause (2) of section 2 of the Indian Companies Act, 1913", the words, brackets and figures "clause (1) of sub-section (1) of section 3 of the Companies Act, 1956" shall be substituted;
- (b) In sub-rule (2), for the words, brackets, figures and letter "sub-section (2) of section 282-B of the Indian Companies Act, 1913", the words, brackets and figures "sub-section (1) of section 418 of the Companies Act 1956" shall be substituted.

[No. 92.]

P. N. DAS GUPTA, Dy. Secy.

(Department of Revenue)

CUSTOMS

New Delhi, the 15th December 1956

S.R.O. 3011.—In exercise of the powers conferred by section 6 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following amendment in the Notification

of the Government of India in the Ministry of Finance (Revenue Division) No. 183-Customs, dated the 16th November, 1955, namely:—

In the said Notification, for the words "Central Intelligence Bureau", the words "Central Revenues Intelligence Bureau" shall be substituted.

[No. 150.]

S. K. BHATTACHARJEE, Dy. Secy.

(Department of Revenue)

CUSTOMS

New Delhi, the 15th December 1956

S.R.O. 3012.—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, the Central Government hereby makes the following further amendment in the notification of the Government of India in the Finance Department (Central Revenues) No. 33-Customs, dated the 22nd June, 1935, relating to the exemption of certain goods from customs duties or part thereof, namely:—

In Schedule I to the said notification, in the 'Form of Declaration' in Appendix A, for clause (d), the following clause shall be substituted, namely:—

"(d) I have arrived in India on a bonafide transfer of residence with the intention of staying in this country for at least a period of one year reckoned from the date of my arrival in India".

[No. 155.]

M. A. RANGASWAMY, Dy. Secy.

(Department of Revenue)

ORDER

STAMPS

New Delhi, the 7th December 1956

S.R.O. 3013.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the whole of the duty with which the lease deed, dated the 5th November, 1956, executed by the High Commission for the United Kingdom in India, in respect of the first floor premises at No. 164, Krishna Nagar, New Delhi, is chargeable under the said Act.

[No. 27.]

M. PANCHAPPA, Under Secy.

CENTRAL BOARD OF REVENUE

INCOME-TAX

New Delhi, the 4th December 1956

S.R.O. 3014.—In exercise of the powers conferred by sub-section (6) of Section 5 of the Income-tax Act, 1922 (XI of 1922), the Central Board of Revenue hereby directs that the following further amendments shall be made in the schedule appended to its notification S.R.O. 1214 (No. 44-Income-tax) dated the 1st July 1952 namely:—

In the Schedule appended to the said notification for the existing entries:—

(a) in column 5 against S. No. 59 the following entry shall be substituted:—

"Appellate Assistant Commissioner Jaipur Range, Jaipur."

(b) In columns 3 and 5 against S. No. 60 the entries in columns 1 & 2 below shall be substituted respectively.

Income-tax Officer 1	Appellate Assistant Commissioner 2
Income-tax Officer. C-Ward Gwalior.	Appellate Assistant Commissioner, B-Range, Gwalior

[No. 94.]

[No. 55/149/56-IT]

New Delhi, the 11th December 1956

S.R.O. 3015.—In pursuance of sub-section (4) of section 5 of the Indian Income-tax Act 1922 (11 of 1922), the Central Board of Revenue hereby directs that with effect from the 15th December 1956, the following further amendments shall be made in its Notification S.R.O. No. 1884-No. 57-Incometax dated the 20th August 1956, namely:

In the Schedule appended to the said Notification under head "X-Bangalore" for the existing entries against 'A' and 'B' Ranges Bangalore the following entries shall be substituted:—

'A' Range, Bangalore. |

1. Urban Circle except in respect of the persons and incomes assessed by the III, IV, V, VI, and VII Additional Income-tax Officers.
2. E. D. cum I. T. Circle, Bangalore. |
3. Mysore Circle. |
4. Davangere Circle.
5. Coorg Circle.
6. Tumkur Circle.
7. S.I.B. Bangalore.

'B' Range, Bangalore. |

1. Urban Circle in respect of persons and incomes assessed by the III, IV, VI and VII Additional Income-tax Officers.
2. Rural Circle, Bangalore.
3. Salary Circle, Bangalore.
4. Special Survey Circle, Bangalore.
5. Special Circle, Bangalore.
6. Shimoga Circle.
7. Hassan Circle.
8. Bellary Circle.

[No. 93(50/75/56-IT).J]

S.R.O. 3016.—In pursuance of sub-section (4) of section 5 of the Indian Income-tax Act, 1922 (11 of 1922), the Central Board of Revenue hereby directs that with effect from the 2nd day of January 1957 the following further amendments shall be made in its Notification S.R.O. No. 1884-No. 57-Income-tax dated the 20th August 1956 namely:—

In the schedule appended to the said Notification under head "V-Bombay South" against:—

- (a) **Poona II:** the entry "No. 4. All Income-tax Wards of Ahmednagar District having headquarters at Ahmednagar" shall be deleted.
- (b) **Thana:** for the existing entry "No. 4. All Income-tax Wards of Sholapur District having headquarters at Sholapur" the following entry shall be substituted:—

"4. All Income-tax Wards of Ahmednagar District having headquarters at Ahmednagar".

- (c) **Dharwar:** after the entry "No. 3. All Incometax Wards of Bijapur District having headquarters at Bijapur" the following entry shall be added:—

"No. 4. All Income-tax Wards of Sholapur District having headquarters at Sholapur".

[No. 94(55/75/56-IT).]

B. V. MUNDKUR, Under Secy.

MINISTRY OF COMMERCE & CONSUMER INDUSTRIES

New Delhi, the 4th December 1956

S.R.O. 3017.—In exercise of the powers conferred by section 3, read with sub-section (2) of section 16 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following further amendment in the Cotton Textiles (Control) Order, 1948, namely:—

In the said Order, in sub-clause (a) of Clause 3, after item (vii) the following shall be inserted, namely:—

"(viii) fabric manufactured partly from cotton and partly from jute and containing not exceeding 10 per cent of cotton by weight."

[No. 8(3)-CT(A)/55-15.]

V. V. NENE, Under Secy.

COFFEE CONTROL

New Delhi, the 5th December 1956

S.R.O. 3018.—Shri M. R. Parthasarathy, Chief Coffee Marketing Officer, Coffee Board, Bangalore, has been granted commuted leave for 30 days with effect from the 15th November to the 14th December, 1956 (both days inclusive) under medical advice.

[No. 13(38)Plant(B)/56.]

A. K. CHAKRAVARTI, Under Secy.

(Indian Standards Institution)

Delhi, the 3rd December 1956

S.R.O. 3019.—In pursuance of sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that the Indian Standards particulars of which are given in the Schedule hereto annexed, have been established during the period 1st to 30th November 1956.

THE SCHEDULE

Sl. No.	No. and title of the Indian Standards established	No. and title of the Indian Standard or Standards, if any, superseded by the New Indian Standard	Brief Particulars
(1)	(2)	(3)	(4)
I	IS : 618-1956 Specification for Kegs (Open Top Drums) for Paints.		This standard covers the requirements of mild steel kegs used in the paint industry for packing stiff paints, pigments and similar products. (Price Re. 1).

(1)	(2)	(3)	(4)
2	IS : 725-1956 Specification for Copper Wire Nails.	..	This standard covers the requirements of copper nails, bright finish and tinned, of five types manufactured from copper wire. Copper nails are used to a considerable extent by the railways and in the ship-building industry. (Price Rs. 1/8/-.)
3	IS : 726-1956 Specification for Mild Steel Buckets for General Use and for Fire Fighting Purposes.	..	This standard covers the requirements of mild steel buckets, mainly manufactured by the small scale industry from black sheets and plain galvanized sheets, for general use and for fire fighting purposes. (Price Rs. 1/8/-.)
4]	IS : 731-1956 General Requirements and Methods of Test for Porcelain Insulators for Overhead Lines with a Nominal Voltage of 1000 Volts and Above (<i>Tentative</i>).	..	This standard prescribes general requirements and methods of test for insulators of porcelain or similar ceramic materials for overhead electric lines with a nominal voltage of 1000 volts and above. String insulator units, insulator strings consisting of one or more such units, and pin and line post insulators are covered. (Price Rs. 3/-/-.)
5	IS : 733-1956 Specification for Wrought Aluminium and Aluminium Alloys, Bars, Rods and Sections (for General Engineering Purposes.)	..	This standard covers the requirements of three grades of wrought aluminium and eleven wrought aluminium alloys in the form of solid bars, rods and sections used for general engineering purposes. (Price Rs. 3/8/-.)

Copies of these Indian Standards are available for sale with the Indian Standards Institution, 19 University Road, Delhi-8.

D. V. KARMARKAR,
Dy. Director (Marks).

[No. MDC/11(4).]

S.R.O. 3020.—In exercise of the powers conferred by sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies the issue of errata slips, particulars of which are given in column (4) of the Schedule hereto annexed, in respect of the Indian Standards specified in column (2) of the said Schedule.

THE SCHEDULE

Sl. No.	No. and title of Indian Standard	No. and date of Gazette Notification in which establishment of Indian Standard was notified	Particulars of Errata Slip issued
(1)	(2)	(3)	(4)
1	IS : 720-1955 Specification for Grease, S. Hard, Loco.	S.R.O. No. 1033, dated the 20th April 1956.	The words 'crystal from melting point,' in the last but one line in clause A-2.2 on page 4 have been changed to 'crystalline melting point,'.

(1)	(2)	(3)	(4)
2	IS : 721-1955 Specification for Grease, S. Soft, Loco.	S.R.O. No. 1033, dated the 20th April 1956	The words 'crystal from melting point,' in the last but one line in clause A-2.2 on page 4 have been changed to 'crystal form melting point,'.
3	IS : 826-1955 Specification for Ammonium Sulphate, Technical	Do.	Additional details of the method of determination of ammoniacal nitrogen have been given in clause B-4.3 on page 5.

Copies of these errata slips are available, free of cost, with the Indian Standard Institution, 19 University Road, Delhi-8.

D. V. KARMARKAR,
Dy. Director (Marks).
[No. MDC/11(10).]

Delhi, the 6th December 1956

S.R.O. 3021.—In pursuance of sub-regulation (1) of regulation 8 of the Indian Standards Institution (Certification Marks) Regulations, 1955, the Indian Standards Institution hereby notifies that one license, particulars of which are given in the Schedule hereto annexed, has been granted authorizing the licensee to use the Standard Mark.

THE SCHEDULE

Sl. No. and date	Period of Validity		Name and Address of Licensee	Article(s)/Process covered by the licence	Relevant Indian Standard
	From	To			
1. CM/L-21 3-12-56	10-12-56	9-12-57	Messrs. Devidayal Metal Industries (Private) Limited. Tulsiram Gupta Mills Estate, Darukhana, Bombay-10.	Aluminium Sheets, Strips and Circles-Grade A and Grade B.	IS: 21-1953 Specification for Wrought Aluminium for Utensils

D. V. KARMARKAR,
Dy. Director (Marks)

[No. MDC/12(66).]

VIDYA PRAKASH, Under Secy.

MINISTRY OF HEAVY INDUSTRIES

CORRIGENDUM

New Delhi, the 11th December 1956

S.R.O. 3022/IDRA/6/6/Am.(3).—In the order of the Government of India in the Ministry of Commerce and Industry No. S.R.O. 661 dated the 24th March 1955 published in Part II Section 3 of the Gazette of India Extraordinary dated the 25th March, 1955,

For "Shri V. S. Mankekar, General Manager, Calico Chemical Division, Post Box No. 12, Ahmedabad."

Read "Shri V. S. Mankikar, Calico Chemical Division Shahibag House, 13, Wittet Road, Ballard Estate, Fort, Bombay."

[No. 5(21)IA(GB)/56.]

R. N. KAPUR, Under Secy.

MINISTRY OF AGRICULTURE

(I. C. A. R.)

New Delhi, the 28th November 1956

S.R.O. 3023.—In pursuance of the provisions of clause (1) of Section 4 of the Indian Coconut Committee Act, 1944 (No. 10 of 1944) as amended by the Indian Coconut Committee (Amendment) Act, 1956 (No. 47 of 1956) the Central Government hereby appoints the Additional Agricultural Commissioner with the Government of India as a member of the Indian Central Coconut Committee.

[No. 7-108/56-Com.I.]

New Delhi, the 3rd December 1956

S.R.O. 3024.—The following draft of a further amendment to the Indian Central Oilseeds Committee Provident Fund Rules, 1949, which the Central Government proposes to make in exercise of the powers conferred by section 17 of the Indian Oilseeds Committee Act, 1946 (9 of 1946), is published as required by sub-section (1) of the said section, for the information of persons likely to be effected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 5th January, 1957.

Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Amendment

For sub-rule (4) of rule 20 of the said rules, the following sub-rule shall be substituted, namely:—

- “(4) The current account of the Fund shall be kept in the Post Office Savings Bank. Any funds not required for current expenditure may be invested in the name of the Fund in any security in which trust property may lawfully be invested under the Indian Trust Act, 1882, or Ten Year Treasury Saving Deposit Certificates or National Savings Certificates to the extent permissible and or in fixed deposit with the State Bank of India. Placing of money in fixed deposit and the investment thereof and the disposal of money so placed or invested shall require the sanction of the Standing Finance Sub-Committee or, if no such Committee is in existence, of the President. All orders for making deposits or investments or for the withdrawal of the same or for the disposal in any other manner of the fund shall be signed by the Secretary and countersigned by the President.”

[No. F.5-103/56-Com.I/ICOCR(PF)/AM(2)/56.]

New Delhi, the 4th December 1956

S.R.O. 3025.—In exercise of the powers conferred by section 4(4) (vi) of the Indian Lac Cess Act, 1930 (24 of 1930), the Central Government is pleased to re-nominate Shri Ravidutta Sawalram Sharma, Secretary, Madhya Pradesh, Lac Chapra Vyapar Wardhini Sabha, Gondia, as a member of the Governing Body of the Indian Lac Cess Committee to represent the indigenous Shellac manufacturers, on the expiry of his term of office on the 30th September, 1956.

[No. 4-4/56-Com. I.]

S.R.O. 3026.—In exercise of the powers conferred by section 4(4) (vii) of the Indian Lac Cess Act, 1930 (24 of 1930), the Central Government is pleased to re-nominate Shri Bazle Karim, M.Sc., of Shellac Industries Ltd., 1, Pagaldanga Road, Calcutta, as a member of the Governing Body of the Indian Lac Cess Committee to represent the lac consuming industry, on the expiry of his term of office on the 30th September, 1956.

[No. 4-4/56-Com. I.]

AJUDHIA PRASADA, Under Secy.

MINISTRY OF HEALTH*New Delhi the 8th December 1956*

S.R.O. 3027.—In exercise of the powers conferred by sections 12 and 33 of the Drugs Act, 1940 (23 of 1940), the Central Government, after consultation with the Drugs Technical Advisory Board, hereby makes the following further amendment in the Drugs Rules, 1945, the same having been previously published as required by the said sections, namely:—

In the said Rules, after rule 121, the following rule shall be inserted, namely:—

“(1) 121-A. *Test for absence of pyrogens.*—Solution of substances intended for parenteral administration in large volumes (10 ml. or more at a time) shall be pyrogen-free and tested for absence of pyrogens. If water or any other aqueous solvent is supplied along with the substances for preparing such solutions, it shall also be pyrogen-free and tested for absence of pyrogens.”

(2) in part IX of Schedule F—after paragraph 3, the following paragraph shall be inserted, namely:—

“3A. The water used in the manufacture of parenteral preparations shall comply with the tests for absence of pyrogens”.

[No. F.1-27/56-D.]

T. V. ANANTANARAYANAN, Under Secy.

MINISTRY OF TRANSPORT**(Transport Wing)****PORTS***New Delhi, the 4th December 1956*

S.R.O. 3028.—The following draft of certain further amendments to the Port of Cochin (Handling and Storage of Compressed Gas Cylinders) Rules, 1949 published in the Government of India, Ministry of Transport Notification No. 19-P(38)/47-1, dated the 22nd June 1949, which the Central Government proposes to make in exercise of the powers conferred by sub-section (1) of section 6 of the Indian Ports Act, 1908 (15 of 1908), is published, as required by sub-section (2) of the said section, for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the 9th January 1957.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Amendments

In the said Notification—

I. Under rule 5, the following Note shall be inserted, namely:—

“NOTE.—Whenever possible, the storage, of cylinders containing gases and liquids under pressure shall be permitted in the Ports' hazardous goods shed No. 1 on Willingdon Island subject to availability of space provided the necessary prior written permission of the Traffic Manager is obtained in each case”.

II. Under rule 9, the following Note shall be inserted, namely:—

“NOTE.—Whenever possible, the storage of cylinders containing gases and liquids under pressure shall be permitted in the Port's hazardous goods shed No. 1 on Willingdon Island subject to availability of space provided the necessary prior written permission of the Traffic Manager is obtained in each case”.

[No. 6-PH(79)/56.]

New Delhi, the 5th December 1956

S.R.O. 3029.—The following draft of an amendment to the Kandla Port Rules, 1955, published with the notification of the Government of India in the Ministry of Transport No. 3-PH(78)/55, dated the 29th June, 1955 which the Central

Government proposes to make in exercise of the powers conferred by sub-section (1) of section 6 of the Indian Ports Act, 1908 (15 of 1908), is published as required by sub-section (2) of the said section, for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration on or after the 9th January, 1957.

Any objection or suggestion which may be received from any person with respect to the said draft before the date so specified will be considered by the Central Government.

Draft Amendments

In the said Rules—for clause (b) of rule 9, the following clauses shall be substituted namely:—

- “(b) All sea-going vessels in harbour shall be so ready as to be able to raise full steam at 12 hours notice, except in case of tankers and vessels carrying explosives which are to be ready at 4 hours notice. In cases of emergencies due to stress of weather or otherwise or for reasons of special circumstances, all vessels in port can be called upon to raise full steam at 4 hours notice.
- (c) Masters are advised that they may not immobilise their vessels without first advising the Deputy Conservator, Kandla Port”.

[No. 3-PH(114)/56.]

K. BALAKRISHNAN, Under Secy.

MINISTRY OF PRODUCTION

New Delhi, the 3rd December 1956

S.R.O. 3030.—In pursuance of proviso (ii) to sub-rule (3) of rule 28 of the Coal Mines (Conservation and Safety) Rules, 1954, the Central Government hereby fixes the rate of two per cent of the duty of excise collected on despatches of coal or coke by means other than rail, as the cost of collection of such duty.

[No. C5-7(8)/56.]

S.R.O. 3031.—In exercise of the powers conferred by clause 4 of the Colliery Control Order, 1945, as continued in force by section 16 of the Essential Commodities Act, 1955 (10 of 1955), and in supersession of the notification of the Government of India in the late Ministry of Industry & Supply, No. 72 dated the 3rd May 1950, the notification of the Government of India in the late Ministry of Works, Production and Supply, No. 4-CI(2)/52 dated the 12th February 1952 and the notification of the Government of India in the Ministry of Production, No. 4-CI(2)/55 dated the 18th March, 1955, the Central Government hereby fixes the following prices at which coal/coke overloaded at any weigh-bridge may be sold by colliery-owners, namely—

Description (1)	Price per ton Rs. As. p.		
	(2)		
1. (a) All overloaded weigh-bridge coal/coke disposed of at any railway weigh-bridge other than at the Mahuda Weigh-bridge in <i>West Bengal and Bihar</i> :	14	0	0
(b) All overloaded weigh-bridge coal/coke disposed of at the Mahuda Weigh-bridge.	12	0	0
(c) Overloaded Coal/Coke of Bagrakote Colliery in Darjeeling in <i>West Bengal</i> .	32	7	0
2. All overloaded weigh-bridge coal/coke disposed of at any railway weigh-bridge in the territories of the State of Madhya Pradesh as it existed before the 1st Nov. 1956 including overloaded coal of Sasti Colliery in the territories of the State of Hyderabad as it existed before the 1st Nov. 1956	16	13	0

(1)	(2)
	Rs. As. p.
3. All overloaded weigh-bridge coal/coke disposed of at any railway weigh-bridge in Orissa.	18 0 0
4. All overloaded weigh-bridge coal/coke disposed of at any railway weigh-bridge in the territories of the State of Vindhya Pradesh as it existed before the 1st Nov. 1956.	15 3 0
5. All overloaded weigh-bridge coal/coke disposed of at any railway weigh-bridge in Assam.	25 6 0
6. All overloaded weigh-bridge coal/coke disposed of at any railway weigh-bridge in the territories of the State of Hyderabad as it existed before the 1st Nov. 1956 excluding overloaded coal of Sasti Colliery.	22 15 0

Explanation.—The expression “overloaded weigh-bridge coal/coke” means all coal, bye-product and bee-hive hard coke or soft coke which is taken off any loaded wagon and stacked at the railway weigh-bridge for the purpose of adjusting the wagon and stacked at the railway weigh-bridge for the purpose of adjusting the

NOTE.—The prices mentioned above are for per ton of 2,240 lbs.

[No. 4-CI(16)/56.]

S. N. DANDONA, Dy. Secy.

New Delhi, the 5th December 1956

S.R.O. 3032.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following further amendment to the Colliery Control Order, 1945, as continued in force by Section 16 of the Said Act, namely:—

In the said order in Clause 4A for the words “dust Coal or slack coal,” wherever they occur, the words “dust coal, slack coal or run-of-mine Coal” shall be substituted.

[No. 4-CI(29)/56.]

S.R.O. 3033.—In exercise of the powers conferred by section 5 of the Essential Commodities Act, 1955 (10 of 1955), the Central Government hereby makes the following further amendment in the Order of the Government of India in the Ministry of Production, No. S.R.O. 1299, dated the 10th June, 1955, as amended from time to time, namely:—

In the Schedule annexed to the said order, for the entries in column (2) against serial No. 5, the following entries shall be substituted, namely:—

- “(i) Director of Industries, Punjab.
- (ii) Director of Food and Supplies and Deputy Secretary to Government of Punjab, Food and Supplies Department.
- (iii) Deputy Director Industries, Punjab (Industrial Supplies).
- (iv) Deputy Director Food and Supplies Punjab.
- (v) Assistant Director Industries, Punjab (Industrial Supplies).
- (vi) Industries Supplies Officer, Punjab.”

[No. 18-CI(19)/56.]

R. J. BHOJWANI, Under Secy.

MINISTRY OF RAILWAYS**(Railway Board)***New Delhi, the 10th December 1956*

S.R.O. 3034.—Whereas the Central Government is of opinion that it is necessary to appoint a Commission of Inquiry for the purpose of making a further inquiry into the causes of the accident to the Down Passenger train No. 563 at mile 66/15-16 between Jadcherla and Mahbubnagar on the Central Railway on the night of the 1st/2nd September, 1956;

Now, Therefore, in exercise of the powers conferred by section 3 of the Commissions of Inquiry Act, 1952 (60 of 1952), the Central Government hereby appoints a Commission of Inquiry consisting of Shri Sundarlal Trikamlal Desai, a Judge of the High Court at Bombay as its sole Member.

2. The said Commission shall—

- (i) consider the report of the Government Inspector of Railways on the said accident, and take such additional evidence as may be necessary; and
- (ii) state its findings as to the causes of the said accident and the person or persons, if any, responsible therefor.

3. The said Commission shall submit its report to the Central Government within a period of two months from the date on which it commences its inquiry.

[No. E(AO)56AP1-8.]

New Delhi, the 11th December 1956

S.R.O. 3035.—In exercise of the powers conferred by rule 3 of the Commissions of Inquiry (Assessors) Rules, 1954, the Central Government hereby appoints the undermentioned persons as assessors to assist and advise the Commission appointed by the notification of the Central Government in the Ministry of Railways, No. E(AO)56AP1-8, dated 10th December 1956 in respect of any matter connected with the inquiry to be made by the Commission:—

- (1) Shri N. K. Mitra, Retired Chief Engineer, Indian Railways.
- (2) Dr. K. L. Rao, Member (Design and Research), Central Water & Power Commission.

[No. E(AO)56AP1-8/L]

D. C. BAIJAL, Secy.

MINISTRY OF COMMUNICATIONS**(Posts & Telegraphs)***New Delhi, the 10th December 1956*

S.R.O. 3036.—In exercise of the powers conferred by the Indian Post Office Act, 1898 (6 of 1898), the Central Government hereby makes the following further amendments in the Indian Post Office Rules, 1933, namely:—

(I) For rule 3, in the said rules, the following rule shall be substituted, namely:—

“3. The following rates shall be chargeable on the delivery of postal articles where the postage or air mail fee is not prepaid or is insufficiently prepaid:—

On an unpaid letter, post-card or packet—Double the prepaid rate.

On an insufficiently paid letter, post-card or packet—Double the deficiency.

On an insufficiently paid reply post-card—Double the prepaid rate on the half for which the postage is not prepaid.

On a fully pre-paid Local Delivery post-card when redirected outside the local delivery area—Double the deficiency at post-card rate.

(II) For rule 14, the following rule shall be substituted, namely:—

“14. Should any of the conditions imposed by items (b) and (c) of rule 11 and rules 12 and 13 be infringed, the post-card shall be treated as a letter.”

(III) For the second proviso in sub-rule (1) of rule 47, the following proviso shall be substituted, namely:—

“Provided further that a Local Delivery Post-card on redirection outside the Local Delivery Area shall be taxed with double the deficiency at the ordinary post-card rate.”

[No. C.40-80/53]

V. M. BHIDE, Dy. Secy.

MINISTRY OF REHABILITATION

New Delhi, the 4th December 1956

S.R.O. 3037.—In exercise of the powers conferred by sub-section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri C. Shewakram as Assistant Settlement Commissioner for the purpose of performing the functions assigned to such Commissioner by or under the said Act with effect from the date he took charge of his office.

[No. 5/31/56-S.II.]

S.R.O. 3038.—In exercise of the powers conferred by sub-section (1) of Section 6 of the Administration of Evacuee Property Act, 1950 (XXXI of 1950), the Central Government, hereby appoints with effect from the 10th November, 1956 for the State of Bombay, Shri N. S. Verma, Regional Settlement Commissioner, Bombay, as Custodian of Evacuee Property, for the purpose of discharging the duties imposed by or under the said Act.

[No. XVI-1(26)/56-Prop.II.]

New Delhi, the 6th December 1956

S.R.O. 3039.—In exercise of the powers conferred by sub-section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (No. 44 of 1954), the Central Government hereby appoints Shri V. P. Singhal as Assistant Settlement Commissioner for the purpose of performing the functions assigned to such officer by or under the said Act, with effect from the date he took charge of his office.

[No. 16/2/56-S.II.]

S.R.O. 3040.—In exercise of the powers conferred by sub-section (1) of Section 6 of the Administration of Evacuee Property Act, 1950 (31 of 1950), the Central Government, hereby appoints, for the State of Pepsu, Shri Kulwant Singh, Regional Settlement Commissioner, Pepsu as Custodian of Evacuee Property, for the purpose of discharging the duties imposed by or under the said Act for the period from the 24th to 31st October, 1956.

[No. XVI-1(16)/56-Prop.II.]

New Delhi, the 7th December 1956

S.R.O. 3041.—In exercise of the powers conferred by sub-section (1) of section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (No. 44 of 1954), the Central Government hereby appoints Shri V. P. Gupta as Settlement Officer for the purpose of performing the functions assigned to such officer by or under the said Act, with effect from the date he took charge of his office.

[No. 3/15/56-S.II.]

New Delhi, the 8th December 1956

S.R.O. 3042.—In exercise of the powers conferred by sub-section (1) of section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri N. N. Gupta, Assistant Settlement Commissioner for the purpose of performing the functions assigned to such officer by or under the said Act with effect from the date he took charge of his office.

[No. 5/32/56-S.II.]

New Delhi, the 10th December 1956

S.R.O. 3043.—In exercise of the powers conferred by Sub-Section (1) of Section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri J. P. Sharma, as Settlement Officer for the purpose of performing the functions assigned to such officer by or under the said Act, with effect from the date he took charge of his office.

[No. 3/15/56-S.II.]

MANMOHAN KISHAN, Under Secy.

MINISTRY OF LABOUR

CERTIFICATE

New Delhi, the 5th December 1956

S.R.O. 3044.—This is to certify that, in exercise of the powers conferred by section 82 of the Mines Act, 1952 (35 of 1952), the Central Government have decided that a stone quarry is a mine within the meaning of the said Act.

VISHNU SAHAY, Secy.

New Delhi, the 10th December 1956

S.R.O. 3045.—In exercise of the powers conferred by sub-section (1) of section 3 of the Indian Dock Labourers Act, 1934 (19 of 1934), and in supersession of the notification of the Government of India in the Ministry of Labour No. Fac.38(1), dated the 26th January 1948, published in Part I, Section 1, of the Gazette of India, dated the 31st January, 1948, the Central Government hereby appoints the under-mentioned officers to be Inspectors for the purposes of the said Act within the local limits of the ports specified against each, namely—

Inspectors	Ports
Chief Adviser, Factories, Ministry of Labour, New Delhi.	Calcutta, Bombay, Madras, Cochin, Vizagapatam, and Kandal.
Deputy Chief Advisers, Factories, Ministry of Labour, New Delhi.	
Assistant Chief Advisers, Factories, Ministry of Labour, New Delhi.	
Inspector (Technical), Office of the Chief Adviser, Factories, New Delhi.	
Inspector Dock Safety (Headquarters), Office of the Chief Adviser, Factories, New Delhi.	
Inspector, Dock Safety, Ministry of Labour, Calcutta	Calcutta.
Inspector, Dock Safety, Ministry of Labour, Bombay	Bombay and Kandla.
Inspector, Dock Safety, Ministry of Labour, Madras	Madras, Cochin and Vizagapatam.

[No. F. Fac. 38(99)/56.]

New Delhi, the 6th December 1956

S.R.O. 3046.—In pursuance of paragraph 3(1) (d) of the Employee's Provident Funds Scheme, 1952, the Central Government hereby directs that the following further amendment shall be made in the notification of the Government of India in the Ministry of Labour, No. S.R.O. 1861 dated the 31st October, 1952, namely:—

In the said notification for item '12', the following item shall be substituted, namely:—

"12. Shri K. Naoroji, Messrs Godrej and Boyce Manufacturing Company Limited, Lalbaug, Parel, Bombay."

[No. PF.33(17)/56.]

New Delhi, the 10th December, 1956

S.R.O. 3047.—In exercise of the powers conferred by section 7 of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (46 of 1948), the Central Government hereby makes the following further amendments in the Coal Mines Bonus Scheme, published with the notification of the Government of India in the Ministry of Labour No. PF16(1)/48, dated the 3rd July, 1948, namely:—

In the said Scheme—

I. After paragraph 11A, the following paragraph shall be inserted, namely:—

"11 B. *Transfer of records in case of change of ownership or closure of a coal mine.*—(1) In the event of a change in the ownership of a coal mine to which this Scheme applies, the previous owner or owners shall, within a period of one month from the date of change in ownership, transfer to the new owner or owners all the records relating to this Scheme and within a fortnight of the transfer of records furnish by registered post or through a messenger a handing and taking over report in Form VI annexed hereto, in duplicate, to the Regional Labour Commissioner (Central) concerned, duly completed by the new owner or owners who shall take over the records transferred to him under this paragraph and acknowledge the same in the said report.

(2) In the event of any colliery being closed, the owner or owners shall, within a period of one month from the date of closure, forward by registered post or through a messenger to the Regional Labour Commissioner (Central) concerned all the records relating to this Scheme and a statement in duplicate in Form VII annexed hereto showing the details, if any, of the outstanding amount of bonus to be paid to the workers alongwith a list of records transferred to the Regional Labour Commissioner (Central).

II. After clause (c) of sub-paragraph (1) of paragraph 12, the following clause shall be inserted, namely:—

"(d) is guilty of an contravention of or non-compliance with any of the requirements of the Act or of this Scheme in respect of which no special penalty is provided."

III. After Form V, the following form shall be inserted, namely:—

FORM VI

[See paragraph 11B (I)]

Handing and taking over report to be rendered to the Regional Labour Commissioner (Central) in the event of a change in the ownership of a coal mine.

1. Name and address of the coal mine
2. Registration No. of the coal mine
3. Name and address of the previous owner or owners
4. Name and address of the new owner or owners
5. Date on which the ownership changed
6. I have transferred the following records to (name of the new owner or owners) on (date) and a sum of Rs. is due to be paid as bonus to the employees for the quarters ending to the quarter ending dated in respect of the employees mentioned in the statement attached.
(name of the quarters)
- (i)
- (ii)
- (iii)
- date

(Signature of the previous owner or owners or his/their authorised agent or manager.

7. I have received the records mentioned at 6 above on.....
(date)

Date

(Signature of the new owner or owners or his/
their authorised agent or manager.)

Delete if nothing is due to be paid.

Statement of bonus due to the workers for the quarter ending.....to
(name of the quarter)
quarter ending.....
(name of the quarter)

Sl. No.	Account No.	Name of the employee	Father's/Husband's name	Amount of bonus due for the quarters* ending.....		Remarks
				(a)	(b)	Total
				Rs. As.	Rs. A.	Rs. As.
1.						
2.						
3.						
4.						
5.						
Total						

NOTE —(a)&(b);—Here enter the name of the quarter for which the bonus is due to the employee.

*If the bonus is due to the worker for more than two quarters the statement should be prepared with the number of additional columns necessary to cover all the quarters for which the bonus is due.

(For use of the Labour Inspector)

Received from the Regional Labour Commissioner (Central).....on.....
(name of the place) (date)

Checked with the records of the colliery onDiscrepancies detected
(date)

have been included in my inspection report No.....dt.....

Dated.....

Labour Inspector (Central).

FORM VII

[See paragraph 11B(2)]

Statement to be furnished to Regional Labour Commissioner (C) by the owner or owners of the Closed Collieries in accordance with paragraph 11 B(2) of the Coal Mines Bonus Scheme.

**STATEMENT SHOWING THE AMOUNT OF BONUS DUE TO THE WORKERS
BY THE OWNER OR OWNERS OF THE CLOSED COLLIERIES.**

A sum of Rs. is due*Nothing is due to be paid to the employees on account of bonus. Details of the amount due are given below:—

S.No	Account No.	Name of the employee	Father's/ Husband's name	Amount of bonus due for the quarter ending:—				Remarks
				(a) Rs.	As.	(b) Rs.	As.	Total Rs. As.

1.
2.
3.
4.

Total

NOTE.—(a) and (b):—Here enter the name of the quarter for which the bonus is due to the employee.

*If the bonus is due for more than two quarters the statement should be prepared with the number of additional columns necessary to cover all the quarters for which the bonus is due.

2. A list of the records transferred to the Regional Labour Commissioner (Central)
..... is enclosed.
(name of the place)

Name of the Coal Mine

Registration No. of the Coal Mine

Address of the Coal Mine

Date of closure

No. of employees retrenched on account of closure

Date of transfer of records

Date of submission of the statement

Date

Signature of the owner or owners of his/their agent
or manager.

[No. PF. 3(56)/56.]

S.R.O. 3048.—In exercise of the powers conferred by section 7 of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (46 of 1948), the Central Government hereby makes the following further amendments in the Hyderabad Coal Mines Bonus Scheme, published with the notification of the Government of India in the Ministry of Labour No. S.R.O. 1705 dated the 4th October, 1952, namely:—

In the said Scheme—

1. After paragraph 11, the following paragraph shall be inserted, namely:—

11A. *Transfer of records in case of change of ownership or closure of a coal mine.*—(1) In the event of a change in the ownership of a coal mine to which this Scheme applies, the previous owner or owners

shall within a period of one month from the date of change in ownership, transfer to the new owner or owners all the records relating to this Scheme and within a fortnight of the transfer of records furnish by registered post or through a messenger a handing and taking over report in Form VI annexed hereto, in duplicate to the Regional Labour Commissioner (Central) concerned, duly completed by the new owner or owners who shall take over the records transferred to him under this paragraph and acknowledge the same in the said report.

- (2) In the event of any colliery being closed, the owner or owners shall, within a period of one month from the date of closure, forward by registered post or through a messenger to the Regional Labour Commissioner (Central) concerned all the records relating to this Scheme and a statement in duplicate in Form VII annexed hereto showing the details, if any, of the outstanding amount of bonus to be paid to the workers along with a list of records transferred to the Regional Labour Commissioner (Central).

II. After clause (c) of sub-paragraph (1) of paragraph 12, the following clause shall be inserted, namely:—

“(d) is guilty of any contravention of or non-compliance with any of the requirements of the Act or of this Scheme in respect of which no special penalty is provided.”

III. After Form V, the following form shall be inserted, namely:—

FORM VI

[(See paragraph II A (1)]

*Handing and taking over report to be rendered to the Regional Labour Commissioner (Central)
in the event of a change in the ownership of a coal mine.*

1. Name and address of the coal mine
2. Registration No. of the Coal Mine
3. Name and address of the previous owner or owners.
4. Name and address of the new owner or owners.
5. Date on which the ownership changed.
6. I have transferred the following records
7. to (name of the new owner or owners).....on.....and a sum
(date)
of Rs.....is due to be paid as bonus to the employees for the quarter ending.....
(name of the quarter)
to the quarter ending.....in respect of the employees^s
(name of the quarter)
mentioned in the Statement attached.
(i)
(ii)
(iii)
Date
(Signature of the previous owner or owner
or his/their authorised agent or manager
7. I have received the records mentioned at 6 above on.....
(date)
Date
(Signature of the new owner or owners or his/
their authorised agent or manager.)

Delete if nothing is due to be paid.

Statement of bonus due to the workers for the quarter ending.....

.....to quarter ending.....
(name of the quarter) (name of the quarter)

S.No.	Account No.	Name of the employee	Father's/Husband's name	Amount of bonus due for the quarters* ending.....				Remarks
				(a) Rs.	(b) As.	Total Rs.	As.	
1.								
2.								
3.								
4.								
5.								
Total								

NOTE.—(a)&(b):—Here enter the name of the quarter for which the bonus is due to the employee
*If the bonus is due to the worker for more than two quarters the statement should be prepared with the member of additional columns necessary to cover all the quarters for which the bonus is due.

(For use of the Labour Inspector)

Received from the Regional Labour Commissioner (Central).....on.....
(name of the place)

..... Checked with the records of the colliery on..... Discrepancies detected
(date) (date)

have been included in my inspection report No.....dt.....

Date.....

Labour Inspector(Central)

FORM VII

[(See paragraph 11A(2)]

Statement to be furnished to Regional Labour Commissioner (C) by the owner or owners of the Closed Collieries in accordance with paragraph 11A 2 of the Coal Mines Bonus Scheme.

STATEMENT SHOWING THE AMOUNT OF BONUS DUE TO THE WORKERS BY THE OWNER OR OWNERS OF THE CLOSED COLLIERIES.

A sum of Rs..... is due *Nothing is due to be paid to the employees on account of bonus. Details of the amount due are given below:—

S.No.	Account No.	Name of employee	Father's/Husband's name	Amount of bonus due for the quarter ending.....				Remarks
				(a) Rs.	(b) As.	Total Rs.	As.	
1.								
2.								
3.								
4.								
Total								

NOTE:—(a) and (b):—Here enter the name of the quarter for which the bonus is due to the employee.
*If the bonus is due for more than two quarters the statement should be prepared with the number of additional columns necessary to cover all the quarters for which the bonus is due.

2. A list of the records transferred to the Regional Labour Commissioner (Central).....
.....(name of the place) is enclosed.

Name of the Coal Mine	...	..
Registration No. of the Coal Mine	..	..
Address of the Coal Mine		..
Date of closure	...	.....
No. of employees retrenched on account of closure	..	..
Date of transfer of records	...	..
Date of submission of the statement	..	..

Date

Signature of the owner or owners or his/their agent or manager

[No. P F 3(56)/56]

S.R.O 3049.—In exercise of the powers conferred by section 7 of the Coal Mines Provident Fund and Bonus Schemes Act, 1948 (46 of 1948), the Central Government hereby makes the following further amendments in the Rajasthan Coal Mines Bonus Scheme, published with the notification of the Government of India in the Ministry of Labour No S R O 3643, dated the 17th December 1954, namely —

In the said Scheme—

I. After paragraph 11, the following paragraph shall be inserted, namely:—

"11A —Transfer of records in case of change of ownership or closure of a coal mine.—(1) In the event of a change in the ownership of a coal mine to which this Scheme applies, the previous owner or owners shall, within a period of one month from the date of change in ownership, transfer to the new owner or owners all the records relating to this Scheme and within a fortnight of the transfer of records furnish by registered post or through a messenger a handing and taking over report in Form VI annexed hereto in duplicate to the Regional Labour Commissioner (Central) concerned, duly completed by the new owner or owners, who shall take over the records transferred to him under this paragraph and acknowledge the same in the said report.

(2) In the event of any colliery being closed, the owner or owners shall, within a period of one month from the date of closure, forward by registered post or through a messenger to the Regional Labour Commissioner (Central) concerned all the records relating to this Scheme and a statement in duplicate in Form VII annexed hereto showing the details, if any, of the outstanding amount of bonus to be paid to the workers along with a list of records transferred to the Regional Labour Commissioner (Central).

II After clause (c) of sub paragraph (1) or paragraph 12, the following clause shall be inserted, namely —

"(d) is guilty of any contravention of or non-compliance with any of the requirements of the Act or of this Scheme in respect of which no special penalty is provided"

III After Form V, the following form shall be inserted, namely —

FORM VI

[See paragraph 11A (I)]

Handing and taking over report to be rendered to the Regional Labour Commissioner (Central) in the event of a change in the ownership of a coal mine.

1. Name and address of the coal mine, ..
2. Registration No. of the coal mine ..
3. Name and address of the previous owner or owners ..
4. Name and address of the new owner or owners ..
5. Date on which the ownership changed ...

6. I have transferred the following records to (name of the newowner or owners).....
on.....(date).....and a sum of Rs.....is due to be paid
 as bonus to the employees for the quarter ending.....to the quarter
 ending.....(name of the quarter).....
in respect of the employees mentioned in the statement attached.
 (name of the quarter)

1.....

2.....

3.....(Signature of the previous owner or owners or his/their
 authorised agent or manager).

7. I have received the records mentioned at 6 above on.....(date)

Date.....

(Signature of the new owner or owners or
 his/their authorised agent or
 manager.)

Date if nothing is due to be paid.

Statement of bonus due to the workers for quarter ending.....to quarter
 ending.....(name of quarter)
 ending.....
 (name of quarter)

Sl. No.	Amount No.	Name of the employee	Father's/Husband's name	Amount of bonus due for the quarters* ending.....			Remarks
				(a) Rs. As.	(b) Rs. As.	Total Rs. As.	
1.							
2.							
3.							
4.							
5.							
Total							

NOTE.—(a) and (b) :—Here enter the name of the quarter for which the bonus is due to the employee.

*If the bonus is due to the worker for more than two quarters the statement should be prepared with the member of additional columns necessary to cover all the quarters for which the bonus is due.

(For use of the Labour Inspector)

Received from the Regional Labour Commissioner (Central).....
 (name of the place)
 on.....Checked with the records of the colliery on.....
 Date.....Date

Discrepancies detected have been included in my inspection report No.....
 (date).....
 Dated.....Labour Inspector (Central).

FORM VII

[(See Paragraph 11A (2)]

Statement to be furnished to Regional Labour Commissioner (C) by the Owners of the Closed Collieries in accordance with paragraph 11 A (2) of the Coal Mines Bonus Scheme.

Statement showing the amount of bonus due to the worker by the owner or owners of the closed collieries.

A sum of Rs.....is due*/Nothing is due to be paid to the employees on account of bonus. Details of the amount due are given below:

Sl. No.	Account No.	Name of the employee	Father's/Husband's name.	Amount of bonus due for the quarter ending :—			Remarks
				(a) Rs. As.	(b) Rs. As.	Total Rs. As.	
1.							
2.							
3.							
4.							
Total							

NOTE :—(a) and (b) :—Here entered the name of the quarter for which the bonus is due to the employee.

*If the bonus is due for more than two quarters the statement should be prepared with the number of additional columns necessary to cover all the quarters for which the bonus is due.

2. A list of the records transferred to the Regional Labour Commissioner (Central).....
is enclosed.
 (name of the place)

Name of the Coal Mine.....
 Registration No. of the Coal Mine.....
 Address of the Coal Mine.....
 Date of closure.....
 No. of employees retrenched on account of closure.....
 Date of transfer of records.....
 Date of submission of the statement.....
 Date.....
 Signature of the owner
 or owners or his/their
 agent or manager.

[No. PF. 3(56)/56.]

S.R.O. 3050.—In exercise of the powers conferred by section 7 of the Coal Mines Provident Fund and Bonus Scheme Act, 1948 (46 of 1948), the Central Government hereby makes the following further amendments in the Assam Coal Mines Bonus Scheme, published with the notification of the Government of India in the Ministry of Labour No. S.R.O. 2041, dated the 8th September, 1955, namely:—

In the said Scheme—

I. After paragraph 11, the following paragraph shall be added, namely:—

11A. *Transfer of records in case of change of ownership or closure of a coal mine.*—(1) In the event of a change in the ownership of a coal mine to which this Scheme applies, the previous owner or owners shall, within a period of one month from the date of change in ownership, transfer to the new owner or owners all the records relating to this Scheme and within a fortnight of the transfer of records furnish by registered post or through a messenger a handing and taking over report in Form VI annexed hereto, in duplicate, to the Regional Labour Commissioner (Central) concerned, duly completed by the new owner or owners who shall take over the records transferred to him under this paragraph and acknowledge the same in the said report.

(2) In the event of any colliery being closed, the owner or owners shall, within a period of one month from the date of closure, forward by registered post or through a messenger to the Regional Labour Commissioner (Central) concerned all the records relating to this Scheme and a statement in duplicate in Form VII annexed hereto showing the details, if any, of the outstanding amount of bonus to be paid to the workers along with a list of records transferred to the Regional Labour Commissioner (Central).

II. After clause (c) of sub-paragraph (1) of paragraph 12, the following clause shall be inserted, namely:—

“(d) is guilty of any contravention of or non-compliance with any of the requirements of the Act or of this Scheme in respect of which no special penalty is provided.”

III. After Form V, the following form shall be inserted, namely:—

FORM VI .

[See paragraph 11A (1)]

Handing and taking over report to be rendered to the Regional Labour Commissioner (Central) in the event of a change in the ownership of a coal mine.

1. Name and address of the coal mine

2. Registration No. of the Coal Mine.

3. Name and address of the previous
 owner or owners

4. Name and address of the new owner
or owners,

5. Date on which the ownership changed

6. I have transferred the following records to (name of the new owner or owners)
.....on.....(date).....and a sum of Rs.i. due to
be paid as bonus to the employees for the quarter ending.....to the
quarter ending.....(name of the quarter)
.....in respect of the employees mentioned
(name of the quarter)
in the statement attached.

(i)

(ii)

(iii)

Date

(Signature of the previous owner
or owners or his/their authorised
agent or manager.)

7. I have received the records mentioned at 6 above on.....
(date)

Date

(Signature of the new owner
or owners or his/their authorised
agent or manager.)

Delete if nothing is due to be paid.

Statement of bonus due to the workers for the quarter ending.....
.....to quarter ending.....
(name of the quarter) (name of the quarter)

S. No.	Account No.	Name of the employee	Father's/Husband's name	Amount of bonus due for the quarters* ending.....		Remarks
				(a) Rs. As.	(b) Rs. As.	
1.						
2.						
3.						
4.						
5.						
TOTAL						

NOTE:—(a) & (b):—Here enter the name of the quarter for which the bonus is due to the employee
*If the bonus is due to the worker for more than two quarters the statement should be prepared with the number of additional columns necessary to cover all the quarters for which the bonus is due.

(For use of the Labour Inspector)

Received from the Regional Labour Commissioner (Central).....
on.....(name of the place)
.....Checked with the records of the colliery on.....Discrepancies
(date) (date)
detected have been included in my inspection report No.....dated.....

Dated

Labour Inspector (Central).

FORM VII

[See paragraph 11A (2)]

Statement to be furnished to Regional Labour Commissioner(C) by the owner or owners of the Closed Collieries in accordance with paragraph 11A (2) of the Coal Mines Bonus Scheme.

Statement showing the amount of bonus due to the workers by the owner or owners of the closed collieries

A sum of Rs. is due*/Nothing is due to be paid to the employees on account of bonus. Details of the amount due are given below:—

S. No.	Account No.	Name of the employee	Father's/ Husband's name	Amount of bonus due for the quarter ending:						Remarks
				(a)		(b)		Total		
				Rs.	As.	Rs.	As.	Rs.	As.	
1.										
2.										
3.										
4.										
TOTAL										

NOTE:—(a) and (b):—Here enter the name of the quarter for which the bonus is due to the employee.

*If the bonus is due for more than two quarters the statement should be prepared with the number of additional columns necessary to cover all the quarters for which the bonus is due

2. A list of the records transferred to the Regional Labour Commissioner (Central) is enclosed.

(name of the place)

Name of the Coal Mine

Registration No. of the Coal Mine

Address of the Coal Mine

Date of closure

No. of employees retrenched on account of closure.....

Date of transfer of records

Date of submission of the statement

Date

Signature of the owner or owners or his/ their agent or manager.

[P.F.3(56)/56.]

CORRIGENDUM

S.R.O. 3051.—[CDLB/56].—In the notification of the Government of India in the Ministry of Labour No. S.R.O. 2316, dated the 8th October 1956, published at page 2063 of Part II Section 3 of Gazette of India Extraordinary dated the 9th October 1956, for "Representative of Calcutta Liners' Conference, Calcutta U.S.A. Conference, Calcutta Continental Conference" shown against item (5) of the Members representing the employers of dock workers and shipping companies, read "Representative of the Calcutta Liners Conference, Calcutta/U.S.A. Conference, Calcutta Continental Conference and The Bay of Bengal/Japan/Bay of Bengal Conference".

[No. Fac.74(107).]

R. C. SAKSENA, Under Secy.

New Delhi, the 5th December 1956

S.R.O. 3052.—In pursuance of section 39 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby directs that its power under section 3 of the said Act shall be exercisable also by the Chief Labour Commissioner (Central) in respect of any industrial establishment in the railway companies mentioned in the schedule appended hereto.

THE SCHEDULE

1. Bankura Damodar River Railway.
2. Ahmedpur Katwa Railway.
3. Burdwan Katwa Railway.
4. Futwah-Islampur Light Railway.
5. Shahdara (Delhi) Saharanpur Light Railway.
6. Arrah Sasram Light Railway.
7. Howrah Amta Light Railway.
8. Howrah Sheakhala Light Railway.
9. Dehri Rohtas Light Railway.
10. Jagadhri Light Railway.
11. Bukhtiarpur Bihar Light Railway.

[No. L.R.16(5)/56.]

New Delhi, the 8th December 1956

S.R.O. 3053.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Calcutta, in the matter of applications under section 33A of the said Act from Shri Mon Bahadur Chetri and others, workmen of the Port Commissioners, Calcutta.

BEFORE SHRI A. DAS GUPTA, SOLE MEMBER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

In the matter of Notification of the Government of India, Ministry of Labour dated the 31st July, 1956:

In the matter of an industrial dispute between the employers in relation to the Port Commissioners of Calcutta and their workmen.

And

In the matter of complainants under section 33A of the Industrial Disputes Act, 1947.

S. No.	Appln. No.	Applicants	Vs.	Opp. Party
1	9/56	Sri M n Bahadur Chetri, fireman No. 79 and Sri Mohd. Kalim, Fireman No. 95. Address: Port Fire Weather House, 58 C.G.R. Road, Calcutta-23.	The Calcutta Port Commissioner, Calcutta-23.	
2	10/56	Sri Jagannath Bajfore, Sweeper, T. No. 2447, C.M.E. Deptt. Wagon Shop and Sri Kailwar Bajfore, Sweeper, T. No. 2447, C.M.E. Department. Address: 12A Mayurbanj Road, Kidderpore, Calcutta-23.		Do.
3	12/56	Lall Bahadur Sonar, Fireman No. 34, C/o. Calcutta Port Commissioners Workers' Union, 3 Joy Krishna Pal Rd., Calcutta-23.		Do.

PRESENT:

Shri A. Das Gupta—*Sole Member.*

APPEARANCES:

For the Applicants—Shri Rajani Mukherjee, Adviser, Calcutta Port Commissioners Workers Union.

For the Opp. Party—Shri K. B. Bose, Counsel,
Shri N. M. Das Gupta, Advocate.

AWARD

The proceedings started, pursuant to the Order of the Government of India, Ministry of Labour, dated 31st July, 1956 under sections 7 and 10 of the Industrial Disputes Act, 1947 (Act XIV of 1947) constituting and Industrial Tribunal with me as the Sole Member and referring the industrial dispute existing between the Port Commissioners Calcutta and their workmen, are still pending.

2. The complainants in the three cases as aforesaid have filed separate applications complaining against the actions alleged to have been taken by the employers to the prejudice of the workmen in contravention of section 33 of the Act and praying appropriate reliefs. The complaints of the workmen may be summed up in a tabular form as under:—

S. No.	Name and Designation of the workmen	Act of the employers complained of	Date of the alleged act	Relief prayed for
1)	M'n Bahadur Chetri Fireman No. 79 Mohd. Kalim Fireman No. 95	Removal from Telephone duty.	3-6-1956 9-6-1956	Promotion for Telephone duty.
(2)	Jagannath Bajfore, Sweeper. Kailwar Bajfore, Sweeper.	Refusal to reduce the working hours and to supply uniforms in line with the workmen of the Health Deptt.	.. ..	Reduction in working hours and supply of uniforms.
(3)	Lall Bshadur Sonar, Fireman No. 34.	Change of designation and consequent denial of departmental uniforms and failure to supply an artificial leg for the one which the complainant lost on account of an accident while on duty.	30-12-55	Reinstatement in his former post and supply of departmental uniforms.

3. All the three applications involving as they do identical questions of law have been taken together for discussion for convenience.

4. By Notification of the Government of India, Ministry of Labour dated 31-7-56 an Industrial Tribunal has been constituted under section 7 of the Industrial Disputes Act, 1947 with myself as the Sole Member with Head Quarters at Calcutta and the dispute between the employers in relation to the Port Commissioners, Calcutta and their workmen has been referred to me for adjudication under section 10 of the said Act.

5. A preliminary question has been raised on behalf of the Port Commissioners in all these cases that these applications are not maintainable. The main adjudication proceedings before me started on and from the date of the Government Notification, namely, 31st July 1956. It is not disputed that the proceedings connected with the main adjudication proceedings are governed by the Industrial Disputes Act, 1947, as it stood before the amendment in 1956.

6. Section 33 of the Industrial Disputes Act, 1947 as amended by the Industrial Disputes (Appellate Tribunal) Act, 1950, prohibits during the pendency of any proceeding before a Conciliation Officer or a Tribunal, in respect of any industrial dispute, any alteration, to the prejudice of the workmen concerned in the dispute, of the conditions of service applicable to them immediately before the commencement of such proceeding or discharge or punishment by dismissal or otherwise of any workman concerned in such dispute, except with the express permission of the Conciliation Officer or Tribunal as the case may be.

7. In the event of contravention of the provisions of Section 33 during pendency of the proceedings before an Industrial Tribunal, the aggrieved workman or workmen may file a complaint under section 33A of the Act, as amended in 1950 against such contravention before the Industrial Tribunal before whom the proceedings are pending, and section 33A of the Act, authorises the Industrial Tribunal to assume jurisdiction over the industrial dispute arising out of the contravention of section 33 as amended without a formal reference from the appropriate Government under section 10 of the Act and to adjudicate upon the dispute and to give an award.

8. Section 10 of the Industrial Disputes Act lays down the general law as to how an Industrial Tribunal can assume jurisdiction over an industrial dispute and section 33A is a special provision and the conditions under which this special provision may be invoked must be fulfilled before the Tribunal assumes jurisdiction over an industrial dispute, without any order of reference from the appropriate Government as contemplated by the general section (section 10 of the Act). The conditions are:—

- (1) that the adjudication proceedings in respect of an industrial dispute must be pending before a tribunal;
- (2) that during pendency of proceedings, the employers have done some acts covered by clauses (1) and (2) of section 33 to the prejudice of the workmen without the express permission of the Industrial Tribunal before whom the proceedings are pending; and
- (3) that such contravention is in respect of workmen concerned in the proceedings pending adjudication.

9. The only point that arises in these three applications is whether the acts complained of by the workmen were done by the employers during the pendency of adjudication proceedings before me.

10. For a clear appreciation of the contentions of the parties, a brief reference to the history of the dispute may be relevant.

11. The industrial dispute between the Port Commissioners Calcutta and their workmen was referred for adjudication by the Government of India, Ministry of Labour, Notification No. LR-3(82)54 dated the 22nd June 1955, to the Industrial Tribunal at Dhanbad. At the relevant time Shri P. S. Bindra was the Sole Member of the said Tribunal. Before the adjudication could be completed Shri P. S. Bindra retired from service and as his services ceased to be available, the Government of India, Ministry of Labour by Notification No. LR-3(82)54, dated the 16th June 1956, constituted an Industrial Tribunal with Head Quarters at Calcutta with Shri V. N. Dikshitulu, as the Sole Member and referred to him the said dispute for adjudication. The services of Shri V. N. Dikshitulu also ceased to be available on and from the 31st July, 1956 and the Government of India, Ministry of Labour, by Notification No. LR-3(82)54 dated the 31st July 1956, constituted an Industrial Tribunal with myself as the Sole Member for adjudication of the said industrial dispute. The Industrial Tribunal constituted with myself as the Sole Member with Head Quarters at Calcutta, is distinct and separate from the Industrial Tribunal at Dhanbad, and my appointment as the Sole Member of the Industrial Tribunal with Head Quarters at Calcutta was made without any indication that I was to be a successor either of Mr. P. S. Bindra or of Mr. V. N. Dikshitulu. The Notification is reproduced below:—

NOTIFICATION:

In exercise of the powers conferred by section 7 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby constitutes an Industrial Tribunal of which Shri A. Das Gupta, Member, Labour Appellate Tribunal of India, shall be sole member with headquarters at Calcutta; and

in exercise of the powers conferred by section 10 of the said Act and in supersession of the Order of the Government of India in the Ministry of Labour No. S.R.O. 1451 dated the 16th June 1956, the Central Government hereby refers to the said Industrial Tribunal for adjudication the dispute mentioned in the aforesaid order, being a dispute between the employers in relation to the Port Commissioners, Calcutta and their workmen.

(Sd.) P. D. GAIHA, Under Secy.

12. The adjudication proceedings started before me afresh from the date of the Notification. The only section which speaks of continuity of proceedings is section 8 of the Industrial Disputes Act, 1947. This section reads as follows:—

- “Filling of vacancies: (1) If the services of the Chairman of a Board or of the Chairman or other member of a Court or Tribunal cease to be available at any time, the appropriate Government, shall, in the case of a Chairman, and may in the case of any other member, appoint another independent person to fill the vacancy, and the proceedings shall be continued before the Board, Court, or Tribunal so reconstituted.*
- (2) Where a Court or Tribunal consist of one person only and his services cease to be available the appropriate Government shall appoint another independent person in his place, and the proceedings shall be continued before the person so appointed.*
- (3) Where the services of any member of a Board other than the Chairman have ceased to be available, the appropriate Government shall appoint in the manner specified in sub-section (3) of Section 5 another person to take his place, and the proceedings shall be continued before the Board so reconstituted.”*

As I have already noted, in the Notification constituting the Industrial Tribunal with myself as the sole member, there was nothing to indicate that I was to be a successor either of Shri P. S. Bindra or Shri V. N. Dikshitulu. Hence in any view section 8 of the Industrial Disputes Act does not apply. Therefore, my definite view is that the adjudication proceedings commenced before me on and from the date of the reference, namely, 31st July 1956 as indicated in section 20(3) of the Industrial Disputes Act, 1947.

13. The question whether the complaints before me are maintainable, has got to be decided against the background of the legal principle discussed above and for this purpose I do not propose to enter into the truth or otherwise of the allegations of the complainants.

14. In application No. 9 of 1956, Man Bahadur Chhetry and Mohd. Kalim allege that they were removed from telephone duty on 3rd June 1956 and 9th June 1956 respectively. Evidently, the alleged acts of the employers in respect of these two complaints took place before the date of the present reference. In this view, the employers cannot be said to have done any act to the prejudice of these two workmen during pendency of the adjudication proceedings before me.

15. In application No. 10 of 1956, the facts alleged are Jagannath Bajfore and Kallwar Bajfore, the sweepers attached to the workshop are employed for 8 hours a day. This state of things had been continuing for long time. We are told that the working hours of the Health Department have been reduced, as has been done in respect of the workmen of the Health Department. They have also made a further grievance that they are not being supplied with uniforms, whereas the workmen of the Health Department are getting uniforms. These state of things have also been continuing for a long time. Thus it is clear that the employers have not done any act during the pendency of adjudication proceedings before me to the prejudice of these complainants. The contention of the complainants is that the employers are guilty inasmuch as they have not provided the complainants with uniforms and have not reduced their working hours to six hours as has been done in respect of workmen of the Health Department. This might have been a good point for moving the Government for a reference but cannot be a subject matter of investigation under Section 33A of the Industrial Disputes Act, 1947.

16. In application No. 12 of 1956, the facts as transpired at the hearing was that Lall Bahadur Sonar was a fireman. He met with an accident and one of his legs had to be amputated as far back as 1955 and was paid the compensation under the Workmen's Compensation Act. As he was no longer fit to work as a fireman, the employers instead of discharging him forthwith, gave him lighter work and designated him as Porter since 30th December 1955. This was also much before the reference and the act of the employers cannot, by any stretch of imagination, be considered to have been done during the pendency of adjudication proceedings before me. In this view of the case, the complaint of Lall Bahadur Sonar shall also be rejected.

17. Hence it is ordered that all the three applications be rejected. This order will govern all the three applications under section 33A of the Industrial Disputes Act, 1947.

26th November, 1956.

A. DAS GUPTA, Sole Member,

[No. LR-3(53)/55.]

S.R.O. 3054.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Madras, in the Industrial dispute between the employers in relation of the Gold Mines in Mysore State and their workmen.

IN THE COURT OF CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
MADRAS.

INDUSTRIAL DISPUTE No. 1 OF 1956

Between

The employers in relation to the Gold Mines of the Kolar Gold Fields, Mysore

And

Their Workmen

PRESENT: Shri K. N. Kunjukrishna Pillai.—*Chairman.*

Madras, dated the 24th November 1956

REPRESENTATION

For the managements of Champion Reef Gold Mines of India (KGF) Ltd., Mysore State, Mysore Gold Mining Co. (KGF) Ltd., Mysore State, Nundydroog Mines Ltd., Mysore State represented by M/s John Taylor & Sons (India) Private Ltd. Managing Agents, Mysore State and other attached offices *viz.* The Central Administration offices, The Kolar Mines Power Station, The Kolar Gold Field Electricity Department, The Kolar Gold Field Hospital and the Kolar Gold Field Watch and Ward Establishment.

Shri T. Rangaswamy Iyengar, Industrial officer.

For the Gold Field Electricity Department & Mysore Mine Workers' Union, Marikuppam (KGF) and Champion Reef Mine Labour Association (KGF) Mysore.

Shri V. G. Row, Bar-at-law, Advocate, Madras.

For Nundydroog Mines Labour Association and Non-Covenanted Central official Employees' Union Mysore.

Shri V. Ramacher, Advocate, Mysore and Shri K. B. Thimmayya President of Nundydroog Mines Labour Association' Mysore.

For Nundydroog Mines Worker's Union, Mysore.

M/s. G. S. Veerappa and N. Karisiddappa, Advocates, Mysore.

STATE : MYSORE

INDUSTRY : MINING

AWARD

The dispute between the above parties was referred by Labour Ministry, Government of India in their notification No. LR.II/57(1)/56 dated 1st March 1956 and it was registered as Industrial Dispute No. 1 of 1956. By another notification No. LR.II/57(1)/56 dated 28th July 1956 the Central Administration Offices, the Kolar Mines Power Station, the Kolar Gold Field Electricity Department, the Kolar Gold Field Hospital, the Kolar Gold Field Watch and Ward Establishment were added as parties and again summons were issued to the parties and the different Unions and the management filed their statements of

the cases. On behalf of the management, one witness was examined and Ext. I to Ext. XXXIV were produced. The workmen produced Ext. A to Ext. M Sri V. Ramachar and Sri K. B. Thimmayya represented the workmen of Nundydroog Mines Labour Association and Non-Covenanted Central Official Employees Union, Shri V. G. Row, Bar-at-law, Advocate assisted by Sri Vasan and Narasimhan represented the workmen of the Kolar Gold Field Electricity Department, Mysore Mine Power Station and Champion Reef Mines Labour Association and Mysore Mine Workers' Union, Sri G. C. Veerappa and Sri C. Karisiddappa, Advocates represented the workmen of the Nundydroog Mine Workers Union while Sri T. Rangaswamy Iyengar, Industrial Officer represented the management.

2. It was while the case was partly heard that Government added new parties by notification No. L.R.II-57(1)56 dated 28th July 1956 and hence some delay was caused in the disposal of the dispute. The only issue to be decided is:—

'Payment of bonus to workmen for the two years 1953 and 1954'

3. At present there are three mines namely Nundydroog Mines (KGF) Ltd., The Champion Reef Gold Mines (KGF) Ltd., and Mysore Gold Mining Co. (KGF) Ltd., which are joint stock public companies operating three Gold mines which are contiguous to each other, on the Kolar Gold Fields in Mysore State. Prior to about middle of 1953, another Company called the Oorgaum Gold Mining Co. of India (KGF) Ltd., was operating a mine called the Oorgaum mines which has been closed and taken by the Champion Reef Gold Mines of India (KGF) Ltd. There is a private Limited Co. called the Kolar Mines Power Station, all the shares of which are held by the three Gold Mining Companies mentioned above. It is only an ancillary Co. which distributed electric power to the three Gold Mining Companies and also maintains a plant for generating electricity in case of emergency. The above three Gold Mining Companies and the Kolar Mine Power Station are managed by the same Managing Agents M/s. John Taylor & Sons (India) Private Ltd. The three Gold Mining Companies are maintaining a common establishment called the Central Administration, the Kolar Gold Field Electricity Department and the Kolar Gold Field Hospital. The Kolar Gold Field Watch and Ward Establishment is only a part of Central Administration. The present dispute is in respect of bonus to the workmen daily-rated and monthly-rated for the years 1953 and 1954. The official year of the Companies is from January to December.

4. The parties have produced all relevant documents and the representatives of both management and workmen have elaborately argued their respective cases in details and it has to be stated with satisfaction that their detailed arguments were very instructive and useful and I am really thankful to them. But in the fore-going paragraphs, I have considered only the important and relevant contention of the parties with reference to exhibits leaving aside the rest although they were also useful in understanding the points of view of the parties. Almost all documents marked on the side of workmen are copies of documents produced by the management.

5. While the Union representing the workmen in Mysore Gold Mining Co. Ltd., a demand 4 months' wages and 5 months' wages as bonus for the years 1953 and 1954, the Union on behalf of the Nundydroog Mines Demand 4 months' total wages as bonus for 1953 and 1954, the workmen in Champion Reef Gold Mines demand 4 months' wages as bonus. The management would oppose the demand on the ground that bonus cannot be granted as there is no available surplus for both the years in all the mines.

6. Before considering the issues, I have to decide one point raised by Sri Row on behalf of some workmen that a uniform rate of bonus should be awarded to all workmen taking into consideration the profits of all three companies. Sri Ramachar, on behalf of certain other workmen, would strongly oppose this. As mentioned above, there are three Mines and Mr. V. G. Row represents so the Mysore Mines Workers' Union and the Secretary of the Champion Reef Mines Labour Association, Sri V. Ramachar represents the President of Nundydroog Mine Labour Association and Sri G. C. Veerappa represents the Nundydroog Mine Workers Union. Mr. Row would base his arguments on two grounds. Even though three separate companies are functioning, it is one company for all practical purpose with a common Managing Agency and other common enterprises. Secondly a distinction in the rate of distribution of bonus to the various workmen in the same industry in one locality will cause industrial disquiet. It is also clear that three public limited companies are registered to man three mines and they are distinct entities. They have got the separate accounts and balance sheets, having a private Ltd., Company as Managing Agents. Hence it cannot be viewed as one and the same concern. Further the workmen will have to partake the prosperity of each concern. To ask the management and

workmen in one concern which has made huge profits, to give bonus to the workmen of another concern which has made huge loss due to inefficiency of management or due to incessant strike and go-slow policy of workmen, will be acting against the fundamentals on which bonus formula is based and will be showing the seeds of industrial disquiet. It is not desirable to take the industry as a whole in considering the question of bonus. The claim for bonus can be made by the employees only if as a result of joint contribution of capital and labour, the industrial concern has earned profit as held by the Supreme Court (1955-I-LLJ). Mr. Ramachar would point out the decision of the Labour Appellate Tribunal which clearly direct that pooling of profits cannot be accepted in the absence of any agreement between the parties to the contrary and the decision of Labour Appellate Tribunal as reported in 1955-I-LLJ-P79 is clear and definite on the point. Sri Ramachar would also point out that the workmen on whose behalf Mr. Row argues, acted against his contention in accepting bonus for 1952 and in the previous years. Hence I do not find my way to accept the contention of Mr. Row regarding the uniform rate of bonus to all workmen so long as the principle that bonus can be claimed on the profits of the concern holds the field.

7. It is now well-settled that bonus can be allowed if there is available surplus. The Advocates on behalf of the parties rightly argue that in finding out the available surplus the principles enunciated by the Full Bench Formula of the Labour Appellate Tribunal should be followed but the Advocates on behalf of the workmen would stress the point further that no deviation should be made and the guiding principles should be strictly followed. On the other hand, Mr. Iyengar on behalf of the management would lucidly argue that a distinction should be made in the case of this industry from other manufacturing industries like cotton textiles etc. He would elaborate that in the case of manufacturing industries, the raw material could be purchased in the market but in the case of mining industry, the raw material is the ore which has to be taken from the bowels of the earth. In order that a mine can continue for any length of time, fresh ore-reserves will have to be found and as mine goes deeper fresh machinery would have to be installed to maintain the same production and further the mine can be operated by complying with the terms and conditions under which the mining right is obtained from the owners of the area. In the present case, the Mysore Government are the owner and the Companies obtained lease of the area under certain conditions. Mr. Iyengar would emphasise that these circumstances should be taken into consideration in applying the guiding principles which are only notional in finding out the available surplus.

8. But Mr. Ramachar would lay stress that every industry has its risk and there is absolutely no difference between this industry and other industry as far as the application of Full Bench Formula is concerned. He invited my attention to the dangers if the Full Bench Formula is to be watered down to suit the peculiarity in the manufacturing process of each industry and would vehemently oppose the contention of the management that the Full Bench Formula should be modified so as to suit the peculiarity of manufacturing process and the agreement entered into by the Companies with the Government. It is not necessary to decide the question one way or other but I will take into consideration the contention expressed by the Advocates when I deal with each item of dispute in arriving at the available surplus but I would venture to mention that the principles laid down by the Labour Appellate Tribunal in arriving at the Full Bench Formula should be adhered to.

9. *15 per cent. of the Total expenditure:* One of the most important items of bone of contentions is whether the management can deduct 15% of the revenue expenditure in calculating the available surplus. In deciding this question, it is necessary to understand the circumstances under which the agreement was arrived at between the Companies and the Mysore Government. It has been pointed out that the Companies are working under lease granted by the Mysore Government. Ext. I is the lease deed executed by the Government in favour of the Champion Reef Gold Mines of India Ltd., on 25th March 1955. Similar lease-deeds were executed in favour of other Companies as well and under the term of the lease, the Companies have to pay at particular rates mentioned therein on the adjusted annual profit of the Companies. Due to high price of Gold during and after World War, it seems that the Mysore Government enacted Gold Duty Act in 1940. The implementation of the Act eventually resulted in huge loss to the Companies and as a result, another lease-deed was executed between the parties on 20th February 1949 which is Ext. II. It may be mentioned that another lease-deed was executed on 6th April 1950 which is Ext. III. And a

fourth one on 30th June 1952 with varying conditions. But I am concerned with Ext. II lease-deed dated 20th February 1949. In Ext. II, the agreement 5(v) is as follows:—

"A sum upto 15% of the aggregate amount referred to under (iv) shall be reserved for depreciation and development expenditure of a capital nature such as search for new ore, purchase of machinery etc., and for removals and replacements and shall be credited to a separate fund provided however that the accumulated balance in the said fund less commitments shall not exceed 25% of the expenses of the lessees shown as debit items in the published revenue account or income and expenditure account as the case may be of the first year on which the 15% was calculated or of the last preceding year, whichever shall be greater."

10. On the basis of this agreement, the Companies would contend that they have a right to appropriate an amount equal to 15% of the aggregate amount of the expenditure of the Companies from the calculation of the available surplus as this amount was arrived at between the Companies and the Government after experience of working of the mines for the last many years. It is also contended that the amount is absolutely necessary in order to have a fund for depreciation and development expenditure of a capital nature such as search for new ore, purchase of machinery etc. and for renewals and replacements. This has been agreed to in view of the peculiarity of this industry in contrast to the other manufacturing industries. It was further contended that this principle has been accepted by the Labour Appellate Tribunal when they decided the bonus for the year 1952 (Ext. VI). On the other hand the representatives of the workmen would contend that this amount should not be a charge on the income while calculating the available surplus. It is strongly urged that the agreement between the Government and the Companies should not bind the workmen so as to deprive them of their legitimate share as bonus. I will examine the contention.

11. The agreement *inter alia* recites that the Government noted that the working of the Gold Duty Act and Gold Refund Rules affected the profits of the Companies adversely and some modifications were made in the agreements. The Headquarters of the Companies were to be transferred to Mysore State by converting the Sterling Companies into Rupee Companies with the assets and liability of the former. It must be registered as a Public limited Company. The Companies should be allowed to build up a reserve to meet proper developments expenditure of a capital nature. The Government also agreed to repeal the Gold Duty Act and provided a scaling in the profits. A reading of the Exts. II and III would show clearly that this is an agreement by which the lessor and lessee agreed to do certain conditions by which the longevity of the mines would be preserved and the profits would be divided equitably. In agreeing to provide the clause regarding 15% the Government had made certain concession like repeal of the Gold Duty Act, the implementation of which was eating the very vitals of the profits of the Companies. Hence both the Government and the Companies taking into consideration different aspects affecting them only entered into certain agreements mutually giving up certain rights enjoyed by each.

12. In this connection I have to consider a very important point raised by Mr. Iyengar that one of the objects of the amount is to find out new ore having in view the longevity of the industry. It is true. But it is admitted that the purpose of the amounts as laid down in Ext. III is "Shall be reserved for depreciation and development expenditure of a capital nature such as search for new ore", purchase of machinery etc. for renewals and replacements.....". It is also evident that under this item, expenses of shaft sinking, cost of building are also included. I agree that a separate fund for finding out new ore and keeping the longevity of the industry is absolutely necessary. But the question is whether the workers should bear the burden. Because in evolving the Full Bench Formula, the Labour Appellate Tribunal had taken into consideration all the conceivable expenses. I have come across cases where according to the Profit & Loss Account, there may be profits, but after applying the Full Bench Formula, there might not be any available surplus for distribution as bonus to workmen. In such cases, the workmen suffer by the application of principles of social justice which is said to govern in the evolution of the formula. The right to appropriate 15% of the expenditure is agreed to by the lessor and lessee in which the workmen are not parties. If the item of expenditure is to be accepted as a prior charge, it is likely that the parties could vary the amount so that the workmen can be made to dance to the tunes of such agreement. Such a state of affairs, I am sure, is not contemplated by the Labour

Appellate Tribunal in laying down the Full Bench Formula. It is likely that under certain circumstances any surplus can be wiped off if such agreement of the parties are to be accepted in the calculation of available surplus. Mr. Ramachar has rightly submitted that the share-holders and the Managing Agents of any company can enter into agreements in order to deprive the workmen of any bonus if such agreements are accepted by the Tribunals. Regarding the expenditure of a capital nature for replacement of machinery, the Full Bench Formula has taken due notice and necessary allowance is made. In this connection, my attention was drawn to Ext. VI, the award of the Labour Appellate Tribunal in the 1952 bonus case. I have read the award carefully and I have not come across any finding on this question. The learned Judges in that case have taken into consideration the facts of the case and came to the conclusion that some amount should be appropriated for the purpose. In this case there is no evidence to show that any amount was used for the purpose of finding out new ore etc. Regarding other purpose for which the 15% is intended statutory depreciation would be sufficient even though the representatives of the workmen object to it. Hence I hold that the agreement regarding an aggregate amount 15% of the expenditure cannot be considered as a prior charge in calculating the available surplus.

13. The Labour Appellate Tribunal allowed additional provision for depreciation and development expenditure as a difference between capital expenditure and statutory depreciation on the ground that there was evidence in the case to come to the finding. It was argued before the Judges in that case that an amount equal to Rs. 9,86,644 was actually spent. The learned Judges allowed it on the additional ground that there was provision in the agreement between the Companies and the Government to spend upto 15% of the total expenditure.

14. In this case, I have already found that the agreement between the Government and the Companies regarding the right of spending 15% of the expenditure cannot be a prior charge. Further there is no evidence in this case that there was necessity for rehabilitation reserves and that any amount was spent in the years in question. As rightly argued by Mr. Ramachar and Mr. Row, provision for development is in the nature of capital expenditure and cannot be treated as a requirement for rehabilitation, replacement and modernisation of plant and machinery. Whatever the alleged peculiar facts and circumstances of the industry may be, it should not be a consideration to deprive the workmen of their legitimate share in the profits of the industry. In fact, the Labour Appellate Tribunal in evolving the Full Bench Formula have taken into consideration the factual evidence available in the Report of the Tariff Committee on the Textile Industry which stated that the industry in Bombay had not replaced any machinery on account of non-availability of the same during the war period and the replacement had to take place and the prices had gone up after the War; and that the statutory depreciation provided was insufficient for the purpose. Hence provision for additional depreciation is an extra-ordinary remedy which cannot be allowed for mere asking of the employer. Ext. VI decision is on the basis of evidence in that case and it does not rightly lay down any principle to be applied by any authorities whenever bonus issue from this industry comes up for decision.

15. In Ext. IX the management has claimed an amount of Rs. 20.26 lakhs under additional provision for depreciation and development expenditure being the difference between the actual expenditure and statutory depreciation relying on Ext. VI Award as deposed by the Chief Accountant as EW1. According to EW1, this amount includes transfer from Champion Reef-Oorgaum joint Operation which according to Ext. VIII(e) is Rupees 25.18 lakhs. What is the amount included under the additional provision for depreciation and reserves is not proved. EW1 further says:—

“The Champion Reef Co. exercised its option under the terms of Joint Operation Agreement take only certain of the items accrued jointly by the two Companies under the scheme. Rs. 20.26 lakhs provided under additional provision in Ext. IX includes the value of capital assets taken over by the Champion Reef-Oorgaum Joint Operation.”

Hence it is clear that Rupees 20.26 lakhs is a mixture of very many items depending upon the options exercised by the management of Champion Reef Company under the forms of Joint Operation Scheme. I am at a loss to understand the reasoning for the inclusion of this amount as a prior charge. I have stated above the circumstances under which rehabilitation reserve can be a prior charge. I have dealt at length on this Rs. 20.26 lakhs to show how unjustifiable the claim of the management is.

16. The next item of expenditure, which is a subject matter of controversy between the parties, is that regarding the initial contribution to the pension fund as well as the annual contribution. Admittedly, the scheme of pension to the convened staff was introduced by the Companies just before the conversion of the Companies from Sterling into Rupee. The management wants that both the items in which the initial contribution and annual contribution made should be a prior charge on gross profit of the Companies. This is strongly objected to by the representatives of the workmen. This question has been discussed and decided in Ext. V as well as in Ext. VI Awards. The Labour Appellate Tribunal in Ext. VI Award held that the initial contribution to the pension scheme cannot be a prior charge. But the annual contribution should be a prior charge. The management, on the basis of Ext. VI decision, conceded this point and contended that annual contribution at least should be a prior charge. Taking into consideration the circumstances under which the pension fund was introduced by the Companies and also the fact that it is intended only to the benefit of the convened staff of the Companies, I cannot understand how this one can be worked out against the interest of the non-convened staff as well as the workmen. A retirement benefit to one section of the employees cannot be used against the another section of the employees. I could have understood the reasoning of the arguments of the management on this question if a fund is created for payment of pension to the workmen also. Hence I hold that both the initial and annual contribution should not be prior charges.

17. *Bonus accrued in the previous years:* On behalf of the Champion Reef Company it was argued that a sum of Rs. 7.12 lakhs should be added back in ascertaining available surplus for the year 1953 on the ground that even though this amount was the bonus accrued for the year 1950, it was actually paid in the year 1953. This contention cannot be accepted. Though disbursement of the bonus for the year 1950 was actually made in the early part of 1953, the amount was provided and debited in 1952 as can be seen in Ext. XIX, Income-Tax Assessment Order wherein this amount is claimed as an expenditure being bonus relating to 1950 (Ext. XX) when ascertaining all the available surplus for the year 1952. This has been added back as evidenced from Exts. XX, XXI and XXIII, the Journal Extract and Voucher copy. Thus it is clear that Rs. 7.12 lakhs did not go into accounts for 1953 as an item of expenditure, hence it cannot be added back.

18. On behalf of the Nundydroog Mines, an amount equal to Rs. 3.53 lakhs was deducted as an item of expenditure in the year 1953 as bonus paid in respect of previous years as seen in Ext. X. The management claims that the difference between the bonus amount and tax involved should be added back and not the bonus equal to 3.53 lakhs. This is objected to by Mr. Ramachar on the ground that the whole amount spent under the item of bonus for the previous years should be added back and the tax involved is only a national one and cannot be taken into consideration. The amount equal to Rs. 3.53 lakhs was actually spent in the year 1953 and this ought to have been spent in the previous year and admittedly this amount was not included under the item of the expenditure in the previous years. So I hold that the bonus paid in respect of previous year should be added back in calculating the available surplus. This applies in the case of other mines also.

19. *Return on capital reserves:* The Companies claim 6 per cent on subscribed capital and 4 per cent on reserves capital and based their argument on the decision of the Labour Appellate Tribunal in Ext. VI Award. On behalf of the workmen, it is pointed out that between 1939 to 1952, the shareholders had got a total dividend of about 190 per cent that is in other words they have got back almost the whole of their capital in that more than 6 per cent interest during these years. I must say that those shareholders are fortunate enough to get dividend but that is not the reason to refuse a reasonable return on paid-up share capital. Otherwise the capitalists would hesitate to invest the money in the industry. According to the decision of the Labour Appellate Tribunal in different cases, I am of the view that the claim of 6 per cent is not unreasonable and I allow it. Regarding the claim of 4 per cent on reserves, I am not convinced that was the actual amount set apart as reserve in the year 1953-54. Even though the management has attempted to show the particulars of reserve employed in business by filing Ext. XVI series, I am not convinced of the actual amount spent on it as the calculation in Ext. VI is ununderstandable. Further Ext. XVI series show that the calculation is not based on any actual amount utilised in the working capital but as average etc. Hence I am constrained not to accept Ext. XVI series as showing the actual reserve employed in the working capital. EW1 also does not help me to find out the actual reserve. Hence and also in view of the fact that a sufficiently adequate return is allowed on subscribed capital, the payment of 4 per cent cannot be allowed and I allow a return of 2 per cent on reserves employed as working capital.

20. Mr. Ramachar has vehemently argued that in the case of Nundydroog Mines in the year 1953, a sum of Rs. 13.5 lakhs has written off as depreciation and so in calculating the available surplus for that year no amount should be allowed for depreciation. But it is found that the figure of Rs. 13.5 lakhs was not in appropriation from the receipts for the year 1953. Working result of the year is given under the heading "Revenue account and Profit & Loss and Appropriation Account". It can easily be seen from this amount that a sum of Rs. 13.5 lakhs has not been appropriated during that year for depreciation but only a sum of Rs. 6.71 lakhs has been appropriated for depreciation and development reserve. To confirm the provisions of Companies Act and for the purpose of auditing and accountancy and mining practice depreciation from 1-4-1951 to 31-12-1953 was written off and the value of the assets correspondingly written down. This has been done not only in the case of Nundydroog Company but done in the case of all other Companies. The writing down of the assets and the writting off of depreciation should not be mixed with statutory depreciation. The two are quite distinct apart.

21. On behalf of the workmen it is vehemently argued that some other items of the expenditure namely upkeep of building, welfare work, managers' fees, Directors' fees and other emoluments, consultation fees, author's fees should be scrutinised as the amounts spent under which item is excessive and unjustifiable.

22. On hearing the arguments from the representaives, I hold that the Industrial Tribunals do not ordinarily interfere with the expenses involved under those items in the absence of allegations and proof of fraud on the part of the management. Hence I do not wish to interfere and scrutinise every item of expenditure under the above heading.

23. On the basis of my above findings, the additions in respect of CHAMPION REEF GOLD MINES would be:

	1953	1954
(Rupees in lakhs)		
Gold and Silver Sales	125.34	165.14
Sundry receipts	1.75	.84
Bonus paid in respect of previous years	5.45	..
Initial contribution to the pension fund	2.07	2.24
Annual Contribution to the Pension Fund	3.40	4.23
	138.01	172.45

Similarly the Deductions would be :—

	1953	1954
(Rupees in lakhs)		
Costs per Revenue A/C	116.45	136.11
Per Profit & Loss A/C . . . . .	.84	1.05
Taxes : Royalty	6.21	8.21
Addl. Royalty . . . . .	..	..
Contribution . . . . .	..	..
Income-tax . . . . .	..	5.62
Statutory Depreciation	8.23	10.86
6% on Subscribed capital	2.60	2.60
2% on reserves . . . . .	.34	.18
	134.67	164.63

Additions in respect of NUNDYDROOG MINES LTD. would be :

	1953	1954
	(Rupees in lakhs)	
Gold and Silver sales	150.27	170.00
Sundry receipts . . . . .	.38	.71
Initial Contribution to the Pension Fund	2.22	2.18
Annual contribution to the Pension Fund	3.64	3.92
Bonus paid in respect of previous year	3.53	..
	160.04	176.81

Deductions in respect of NUNDYDROOG MINES would be:

	1953	1954
	(Rupees in lakhs)	
Costs per revenue A/C.	129.78	137.74
Per Profit & Loss A/C. . . . .	.78	.95
Taxes : Royalty	7.45	8.46
Addl. Royalty . . . . .	..	..
Contribution . . . . .	.31	.72
Income-tax	4.16	8.58
Statutory Depreciation	6.96	7.13
6% on subscribed capital	2.26	2.26
2% on reserves . . . . .	.60	.61
	152.30	165.45

Additions in respect of MYSORE GOLD MINING CO. would be :

	1953	1954
	(Rupees in lakhs)	
Gold and Silver sales	161.46	184.58
Sundry receipts . . . . .	.46	.95
Bonus paid in respect of previous year	4.33	..
Initial Contribution to the Pension Fund	2.31	2.29
Annual Contribution to the Pension Fund	3.90	3.92
	172.46	191.74

Deductions in respect of MYSORE GOLD MINING CO. would be :

	1953	1954
	(Rupees in lakhs)	
Costs per revenue A/C.	145.81	153.11
Per Profit & Loss A/C. . . . .	.89	1.03
Taxes : Royalty	8.03	9.16
Addl. Royalty . . . . .	..	..
Contribution . . . . .	..	.44
Income-tax	2.38	8.18
Statutory Depreciation	7.18	7.29
6% on Subscribed capital	4.88	4.88
2% on reserves . . . . .	.63	.64
	169.80	184.73

24. After having calculated the available surplus for Champion Reef Mines Ltd., Nundydroog Mines Ltd. and Mysore Gold Mining Co. Ltd., which are Rs. 3.34 lakhs, Rs. 7.74 lakhs and Rs. 2.66 lakhs for 1953 and Rs. 7.82 lakhs and Rs. 10.37 lakhs and Rs. 7.01 lakhs respectively, the next question is what is the amount to be awarded as bonus. It is claimed by one representative that the bonus should be awarded in terms of total earnings of the workmen. The trend of rulings is that it should be in terms of basic wages and I accept it.

25. The Management filed a statement showing the estimated cost of one month's (26 days') basic wages to monthly and daily rated employees in all mines. In the case of Champion Reef Mines, it is Rs. 2.64 lakhs for 1953 and Rs. 3.12 lakhs for 1954 inclusive of proportion of wages paid to the employees of the Allied Establishment. Calculating the rebate in income-tax that the Companies would get in respect of bonus that they would give to the workmen, the next expenditure would be about Rs. 1.41 lakhs in 1953 and Rs. 1.66 lakhs in 1954 for the Champion Reef Mines. The available surplus for the Company is Rs. 3.34 lakhs in 1953 and Rs. 7.82 lakhs for 1954.

26. In the case of Nundydroog Mines, the estimated cost of basic wages for a month is Rs. 2.38 lakhs in 1953 and Rs. 2.66 lakhs in 1954 inclusive of the wages paid to employees of allied establishments. Calculating the next expenditure on the items, it comes to about Rs. 1.28 lakhs in 1953 and Rs. 1.41 lakhs in 1954. The surplus for the year 1953 is 7.74 lakhs and for 1954 Rs. 10.37 lakhs.

27. In the case of Mysore Gold Mining Co. the corresponding figures under wages is Rs. 3.13 lakhs in 1953 and Rs. 3.46 lakhs in 1954 and the next expenditure in 1953 is Rs. 1.66 lakhs and in 1954 Rs. 1.74 lakhs.

28. Here is a case where there are three industrial concern situated contiguously having varying available surpluses in the year 1953 and 1954 with a common set of employees. No hard and fast rules can be laid down in the appropriation of the surpluses as bonus. Industrial disquiet should be avoided at any cost. Taking into consideration all relevant factors, I award basic wages at the rate of $1\frac{1}{2}$ (one and a half) months' in 1953 and 3 (three) months' in 1954 to the workers of the Champion Reef Mines Ltd., $2\frac{1}{2}$ (two and a half) months' in 1953 and $3\frac{1}{2}$ (three and a half) months' in 1954 to the workers of Nundydroog Mines Ltd., and 1 (one) month's in 1953 and 3 (three) months' in 1954 to the workers of Mysore Gold Mining Co. Ltd.

29. I find it a bit difficult to fix a rate of bonus to the employees working in the Central Administration Department, Kolar Mines Power Station and Kolar Gold Field Hospital. It is stated that Kolar Gold Field Watch & Ward Establishment is included in the Central Administration Department. Because they are the common employees whose wages are credited in the different accounts of the Companies the workmen of which are awarded different rates of bonus. The representatives of the parties agree that they are also entitled to get bonus and the President of the Nundydroog Mines Labour Association would submit that the employees should be paid bonus at least from the available surplus from the Nundydroog Mines Ltd. if it was not available from other concerns. Now that the workmen of the mines are awarded bonus, the employees who do as much important work, if not more, as the other workmen should be awarded bonus. On a consideration of all aspects I find that the employees working in the common departments namely, the Central Administration Departments, The Kolar Mines Power Station, the Kolar Gold Field Electricity Department, the Kolar Gold Field Hospital and the Kolar Gold Field Watch and Ward Establishment will get one month's wages in the year 1953 and two months' basic wages in the year 1954 as bonus.

30. I pass the award in terms specified above. The bonus will be paid in two instalments. The first instalment will be paid within two weeks and the second instalment will be paid within six weeks from the date of publication of this Award in the Gazette according to section 17 of the Industrial Disputes Act, 1947. This award will take effect from the date of publication.

K. N. KUNJUKRISHNA PILLAI,

Chairman.

APPENDIX

*Witnesses on behalf of
workmen.*

Nil.

*Witnesses on behalf of
managements.*

1. Sri Rajgopal Srinivasan.

EXHIBITS ON BEHALF OF WORKMEN

A. Assessment form for 1955-56 under section 23(3) of the Indian Income-tax Act 1952 of the Champion Reef Gold Mines Ltd. and order.

B. Notice of demand under section 29 of the Indian Income-tax Act, 1922 from the Income-tax Officer, Kolar Circle Kolar dated 26th March 1955 to the Champion Reef Gold Mines of India.

C. Assessment Order for 1955-56 of Nundydroog Mines Ltd.

D. Notice of Demand from the Income-tax Officer, Kolar to Nundydroog Mines Ltd., dated 25th March 1955.

E. Assessment Order of Income-tax Department dated 29th February 1956 of the Mysore Gold Mining Co.

F. Notice of Demand under section 29 of the Income-tax Act from the Income-tax Officer, Kolar to the Mysore Gold Mining Co. dated 26th March, 1955.

G. Cost of upkeep of buildings of the champion Reef Gold Mines of India (KGF) Ltd., dated 5th July 1956.

H. Statement showing the cost of welfare work of the Champion Reef Gold Mines of India Ltd. dated 5th July 1956.

J. Statement showing the cost of welfare work of the Mysore Gold Mining Co. dated 5th July 1956.

K. Statement showing the estimated cost of one month's (26 days') basic wages to monthly and daily rated employees of the Mysore Gold Mining Co. dated 5th July 1956 and Champion Reef Gold Mining Co. and Nundydroog Mines.

L. Report of the Committee constituted to examine the working of the agreement of 1949 between the Government of Mysore and the Kolar Gold Field Mining Companies and allied matters of Government of Mysore.

L(1). Page 97 of the above report.

M. Memorandum and Articles of Association of the Champion Reef Gold Mines of India (KGF) Ltd.

EXHIBITS ON BEHALF OF THE MANAGEMENTS

I. Copy of the Lease of Mining Rights in Mysore between the Government of H. H. The Maharaja of Mysore and the Champion Reef Gold Mines of India Ltd.

II. Deed of agreement dated the 20th February 1949 between the Government of His Highness the Maharaja of Mysore and the Mysore Gold Mining Co. The Champion Reef Gold Mines, The Oorgaum Gold Mining Co. and Nundydroog Mines Ltd.

III. Agreement and Deed of Variation dated the 6th April 1950 between the Government of His Highness the Maharaja of Mysore and the Champion Reef Gold Mines of India Ltd.

IV. The Deed between the Rajpramukh of Mysore and the Champion Reef Gold Mines of India Ltd. dated 30th June 1952.

V. The Award of the Central Government Industrial Tribunal at Dhanbad in Reference No. 2 of 1954 dated 31st December 1954 (Printed copy of the Award).

VI. Decision of the Labour Appellate Tribunal of India, Madras in Madras No. 6 of 1955 between the employers in relation to Nundydroog Mines. Oorgaum Mines and their workmen dated the 10th December 1955.

VII. Award of Shri V. N. Dikshitulu, Industrial Tribunal in the Industrial Dispute between the employers in relation to the Champion Reef Gold Mining Co. and their workmen, dated 5th January 1953.

VIII. The Report and accounts for the year ended 31st December 1954 of Nundydroog Mines dated 12th August 1955.

IX. Statement of ascertainment of Surplus of Bonus of the Champion Reef Gold Mines of India.

IX(a). Statement of ascertainment of Surplus of Bonus of the Champion Reef Gold Mines of India.

X. Statement of ascertainment of Surplus of Bonus of the Champion Reef Gold Mines of Nundydroog Mines.

X(a). Statement of ascertainment of Surplus of Bonus of the Champion Reef Gold Mines of Nundydroog Mines.

XI. Statement of ascertainment of Surplus of Bonus of the Champion Reef Gold Mines of Mysore Gold Mining Co.

XI(a). Statement of ascertainment of Surplus of Bonus of the Champion Reef Gold Mines of Mysore Gold Mining Co.

XII. Amount of initial contribution included in the debit for pension Fund in the Annual accounts of Champion Reef Gold Mines dated 5th July 1956.

XIII. Amount of initial contribution included in the debit for pension Fund in the Annual accounts of Mysore Gold Mining Co. dated 5th July 1956.

XIV. Amount of initial contribution included in the debit for pension Fund in the Annual accounts of Nundydroog Mines dated 5th July 1956.

XV. Revenue costs and Capital expenditure from 1908 to 1940 of John Taylor & Sons Ltd.

XVI. Particulars of reserves employed in the business as working capital of Mysore Gold Mining Co. for 1953-54.

XVI(a). Particulars of reserves employed in the business as working capital of the Champion Reef Gold Mines.

XVI(b). Particulars of reserves employed in the business as working capital of Nundydroog Mines Ltd.

XVII. Details of Cash balance of the Mysore Gold Mining Co. Ltd. for 1953-54.

XVII(a). Details of Cash balance of Champion Reef Gold Mines.

XVII(b). Details of Cash balance of Nundydroog Mines Ltd.

XVIII. Agreement between the Champion Reef Gold Mines at Cornhill and the Champion Reef Gold Mines of India at Oorgaum dated 23rd January 1951.

XIX. Notice of demand under Section 23 of the Indian Income-Tax Act from the Income Tax Officer to the Champion Reef Gold Mines dated 31st March 1954.

XX. Reply statement filed by the employers in reference No. 7 of 1954 before the Central Government Industrial Tribunal at Dhanbad.

XXI. Extract from Champion Reef Gold Mines of India Journal Book—page 200—entry No. 299.

XXII. Debit and Credit particulars of the Champion Reef Gold Mines dated 31st December 1952.

XXIII. Extract of Mining Ledger sheet of the Champion Reef Gold Mines of India (KGF) Ltd.

XXIV. Constitution and rules of Pension Fund.

XXV. Letter from the Secretary, Central Board of Revenue of Government of India to M/s. John Taylor & Sons dated 23rd February 1956.

XXVI. Letter from the Secretary, Central Board of Revenue, Government of India to the Trustees, Mysore Gold Mining Co. dated 15th June 1956.

XXVI(a). Letter from the Secretary, Central Board of Revenue, Government of India dated 15th June 1956 to the Trustees, Champion Reef Gold Mines of India.

XXVI(b). Letter from the Secretary, Central Board of Revenue, Government of India dated 15th June 1956 to the Trustees, The Kolar Gold Field Electricity Department.

XXVI(c). Letter from the Secretary, Central Board of Revenue, Government of India dated 15th June 1956 to the Trustees, M/s. John Taylor & Sons.

XXVI(d). Letter from the Secretary, Central Board of Revenue, Government of India dated 15th June 1956 to the Trustees, The Kolar Gold Field Medical Establishment.

XXVI(e). Letter from the Secretary, Central Board of Revenue, Government of India dated 15th June 1956 to the Trustees, Nundydroog Mines Ltd.

XXVI(f). Letter from the Secretary, Central Board of Revenue, Government of India dated 15th June 1956 to the Trustees, Champion/Oorgaum Joint Operation Pension Fund.

XXVII. An analysis by the management of the Kolar Gold Field Mining Companies of the report of the Mysore Government Committee to enquire into the effect of the repeal of Gold Duty Act and the position arising out of the agreement of 1949 between the Government and the Mining Cos.

XXVIII. The Report and Accounts for the year ended 31st Dec. 1952 of Nundydroog Mines Ltd.

XXIX. Statement showing the allocation of expenditure to capital and revenue.

XXX. Copy of letter to M/s. John Taylor & Sons from the Under Secretary to Government of India dated 9th October 1954.

XXXI. Balance sheets of Mysore Gold Mining Co. (Years: 1908, 1914, 1915—1921, 1922—1926, 1927—1931, 1932—35, 1936—39, 1940—45, 1946—51.)

XXXII. Balance sheets of Champion Reef Gold Mining Co., (Years 1908—14, 1915—21, 1922—26, 1927—31, 1932—35, 1936—39, 1940—45, 1946—51).

XXXIII. Balance sheets of Nundydroog Mining Co., (Years 1908—14, 1915—21, 1922—26, 1927—31, 1932—35, 1936—39, 1940—45, 1946—51).

XXXIV. Balance sheets of above three Cos. (9 months to 31st December 1951).

K. N. KUNJUKRISHNA PILAI,

Chairman.

[LRII-57(1)56]

ORDERS

New Delhi, the 5th December 1956

S.R.O. 3055.—In exercise of the powers conferred by section 7 read with section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby makes the following amendment in the Government of India Ministry of Labour Order No. S.R.O. No. 1448, dated the 14th June 1956, namely:—

In the said order for the words 'headquarters at Lucknow' the words 'headquarters at Dhanbad' shall be substituted.

[No. LRII/2/55/35.]

S.R.O. 3056.—In exercise of the powers conferred by section 7 read with section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby makes the following amendment in the Government of India Ministry of Labour Order No. S.R.O. 1507, dated the 23rd June 1956, namely:—

In the said order for the words 'headquarters at Lucknow' the words 'Headquarters at Dhanbad' shall be substituted.

[No. LR.2(74)/55.]

S.R.O. 3057.—In exercise of the powers conferred by section 7 read with section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby makes the following amendment in the Government of India Ministry of Labour Order No. S.R.O. 1504, dated the 22nd June 1956, namely:—

In the said order for the words 'headquarters at Lucknow' the words 'headquarters at Dhanbad' shall be substituted.

[No. LRII/2/(32)/55.]

S.R.O. 3058.—In exercise of the powers conferred by section 7 read with section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby makes the following amendment in the Government of India Ministry of Labour Order No. S.R.O. No. 1614, dated the 4th July 1956, namely:—

In the said order for the words 'headquarters at Lucknow' the words 'headquarters at Dhanbad' shall be substituted.

[No. LRII/2(140)/55.]

CORRIGENDUM*New Delhi, the 10th December 1956*

S.R.O. 3059.—In the Government of India, Ministry of Labour, Notification No. S.R.O. 2707, dated the 12th November, 1956, published at page 1933 of Part II, Section 3 of the Gazette of India, dated the 17th November, 1956, for the word, "Bombay", substitute the word, "Calcutta".

[No. LR-100(53)/54.]

A. L. HANDA, Under Secy.

New Delhi, the 11th December 1956

S.R.O. 3060.—In exercise of the powers conferred by section 73 A of the Employees' State Insurance Act, 1948, (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Labour No. S.R.O. 279, dated the 6th February, 1952, namely:—

In the said notification, for paragraph 8, the following shall be substituted, namely:—

- "8.(i) Any principal employer who has paid any amount erroneously or in excess of the employers special contribution due from him for any quarter may apply in writing to the Corporation within twelve months of the date of such payment for refund of the amount so paid by him furnishing full details of the employer's special contributions that have actually fallen due in respect of the quarter and the amounts which he has actually paid in respect thereof;

Provided that the Director General may entertain any such application after the expiry of the said period of twelve months, if he is satisfied that the employer was prevented by sufficient cause from making the application in time.

- (ii) Subject to the production of such evidence by way of affidavit or otherwise as may be required by the Director General, the amount of such excess as may be admissible shall be refunded without any interest to the principal employer by the Director General or any other officer authorised by him in this behalf."

[No. HI.1(64)/56.]

B. R. KHANNA, Under Secy.

MINISTRY OF INFORMATION AND BROADCASTING*New Delhi-2, the 10th December 1956*

S.R.O. 3061.—In exercise of the powers conferred by section 6 of the Cinematograph Act, 1952 (XXXVII of 1952) and on the recommendation of the Central Board of Film Censors in accordance with rule 28 of the Cinematograph (Censorship) Rules, the Central Government directs that the film entitled "MOTHER" in respect of which "U" certificate No. 17198 dated 24th July, 1956 was granted shall be deemed to be an uncertified film in the whole of India.

[No. 9/30/56-FC.]

ORDERS*New Delhi-2, the 8th December 1956*

S.R.O. 3062.—The Central Government hereby:—

- (a) directs, in pursuance of the provisions of the Order of the Government of India in the Ministry of Information and Broadcasting No. S.R.O. 3805, dated the 26th December, 1955 and in modification of the Order

of the Government of India in the Ministry of Information and Broadcasting No. S.R.O. 2633 dated the 31st October, 1956, that the Advisory Panel of the Central Board of Film Censors at Madras shall consist of 35 members with immediate effect.

- (b) appoints, after consultation with the Central Board of Film Censors Shrimati P. Mandakini Bai as a member of Advisory Panel of the said Board at Madras with immediate effect in exercise of the powers conferred by sub-rule (3) of rule 9 read with sub-rule (1) of rule 10 of the Cinematograph (Censorship) Rules, 1951.

[No. 14/4/56-FC.]

S.R.O. 3063.—In pursuance of clause 2 of the directions issued under the provisions of each of the enactments specified in the First Schedule to the order of Government of India in the Ministry of Information and Broadcasting No. S.R.O. 945 dated the 28th April, 1955 the Central Government with previous approval of the Film Advisory Board, Bombay hereby certifies the films specified in column 2 of the schedule hereto annexed, in all their language versions to be of the description specified against each in the corresponding entry of column 5 of the said schedule.

SCHEDULE

Sl. No.	Title of the film	Name of the Producer	Source of Supply	Whether scientific film or film intended for educational purposes or film dealing with news and current events or a documentary film.
1.	Indian News Review No. 425	Govt. of India, Films Division, Bombay.	Gov. of India, Films Division, Bombay.	Film dealing with news and current events.
2.	Flag Day	—do—	—do—	—do—
3.	Navy at work	—do—	—do—	Documentary film.
4.	Killing the killers	—do—	—do—	—do—
5.	New life of a displaced person	Art Films of Asia (Private Ltd., for the Films Division, Govt. of India, Bombay.	—do—	—do—
6.	It is your vote.	Films Division, Govt. of India, Bombay.	—do—	Film intended for educational purposes.

[No. 14/2/56-FD App. 113]

V. P. PANDIT, Under Secy.